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BRITISH HISTORY

AND

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PAPAL CLAIMS

FROM THE NORMAN CONQUEST

TO

THE PRESENT DAY

BY

JAMES PATON, B.A.

MINISTER OF ST. PAUL'S, GLASGOW

IN TWO VOLUMES

VOL. II.—A.D. 1760-1892



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(For Complete Synopsis, see Vol. I.)

CHAPTER III

THE NEW ROMAN CATHOLIC CAMPAIGN

A.D. 1760—1782

THE dream of capturing the throne direct, in favour of Popery, perished with the other dreams of Prince Charlie on Culloden Moor. In neither France nor Rome, and neither for political nor religious reasons, was there the will or the power to launch any more Pretenders for the British Crown. As the years rolled past, that illusion was finally and for ever dispelled, and the abettors of the Papacy in these kingdoms developed, perhaps half unconsciously at first, but by-and-bye with conscious and deliberate purpose, an altogether different policy. They set themselves not to capture by one heroic stroke the throne and seat Popery thereon, but to capture one by one all the avenues that lead to political power and influence in the State; to climb back and up the ladder from Toleration to Equality, and from Equality to Supremacy.

In the reign on which we now enter, this new campaign was fairly opened; and, as we shall see, the new departure was even marked by a new name. The term *Papist* gives place to *Roman Catholic*, and we are hereafter led alike by the courtesies of the Modern Age, and by the practice of the Parliamentary statutes, not to speak of Popery, but of the Roman Catholic religion. We need not dispute as to which term is the more descriptive of facts, or characteristic of the spirit of the system designated; though why a follower of and

believer in the Pope should regard the terms Popery and Papist as 'insulting,' we cannot divine. Enough for us to know that either term is resented. We have followed hitherto the Parliamentary practice for the centuries that have passed in review, and used the ancient and distinctive names. We shall now follow the Parliamentary practice of the new age, and use the names and titles which since prevail.

If it showed any relaxing on the part of these religionists of either the claims made by the Pope, or the concessions granted to him, and indicated their falling back upon a Catholicism that was *not* Roman and Papal, we would unfeignedly rejoice. Nay, we would gladly yield even further if the facts of history would allow it, and give them heartily their share in the use of that name, which belongs to all Christians, but which they would like exclusively to wear; we would not grudge to hear any one of them say, 'I am a Catholic,' if he meant thereby to convey what the words implicitly involve—'but not a *Roman* Catholic.' But to claim and wear the name 'Catholic,' as covering also everything implied in the words 'Roman' and 'Papal,' is at once 'insulting' to every other Christian Communion, inconsistent with Parliamentary usage and historical facts, and a thing to be resented and resisted on every hand alike in the interests of courtesy and of truth. 'Roman Catholic,' then, if you will; but not exclusively 'Catholic' on any terms!

Poor Frederick, the Prince of Wales, about whose marriage the elder Pitt made his famous 'maiden speech,' never came to the throne. He was dead nearly ten years ago. And so it was the grandson of George II. who came to the throne as George III., the dead Prince's son. His accession took place in 1760, and his death in 1820,—the longest reign of all, and, in many respects, one of the most miserable. This young George gloried that he was 'not a foreigner' like his two predecessors, but 'an Englishman born and bred;' and he cherished high ideas of reasserting 'the prerogatives of the Crown.'

Alas, he managed to do so in the maddest of all ways, and the price paid by the Empire was the loss of America!¹

On the day of his grandfather's death, 25th October 1760, George III., then twenty-two years of age, declared before the Privy Council at Carleton House, 'It will be the business of my life to promote the glory and happiness of these kingdoms, and to preserve and strengthen the constitution both in Church and State.'²

On the 18th November, the King's Speech to both Houses of Parliament created immense popularity:— 'Born and educated in this country,' said he, 'I glory in the name of a Briton. . . . The civil and religious Rights of my loving people are equally dear to me with the most valuable prerogatives of my Crown.'³ There was high talk also about 'the success of arms,' 'the reduction of Canada,' and about 'his good brother and ally the King of Prussia.' The old chronicler says in his unconsciously humorous way, 'they were relieved and gratified by hearing the King's Speech delivered in all the purity of English pronunciation.' Well done, George!

The twelfth Parliament of Great Britain met on 3rd November 1761, and had some little rejoicing over the King's marriage to the Princess Charlotte of Mecklenburg-Strelitz.⁴ Its two first sessions were much engrossed with what was called 'the Family Compact'⁵ of the Bourbons, the 'resignation'⁶ of Pitt and Newcastle, the 'Peace of Fontainebleau,' and, finally, 'the Definitive Treaty,'⁷ signed by Great Britain, France, and Spain, at Paris on 10th February 1763, whereby there reigned once more peace throughout Europe.⁸ And all through these transactions, we are again and again painfully reminded of the presence of 'the Favourite,' the name by which the public designated the unconstitutional ascendancy of the Earl of Bute in the councils of the King.

¹ Hansard's *P. H.* vol. xv. p. 980.

⁴ *Ibid.* p. 1072.

⁷ *Ibid.* p. 1241.

² *Ibid.* p. 980.

⁵ *Ibid.* p. 1022.

⁸ *Ibid.* p. 1291.

³ *Ibid.* p. 982.

⁶ *Ibid.* p. 1228.

In the third session, 1763, John Wilkes, who was *not* a favourite, begins to come prominently into view. In the forty-fifth number of his *North Briton*, he had abused the Prorogation Speech, charging the King with 'falsehood from the throne,' and throwing the blame on the Ministry.¹ Out of this arose the great discussion as to 'the legality of general warrants,' when applied to members of Parliament. It was contended that Wilkes's 'privilege' as member for Aylesbury had been 'invaded,' that it could only be lost by treason, felony, or breach of peace, not by his libel. He was tried, however, for obscenity and blasphemy in his 'paraphrase of *Veni Creator* and his *Essay on Woman*.'² Failing to return for his sentence, he was 'outlawed' and the House passed a resolution, by two hundred and fifty-eight votes against one hundred and thirty-three, 'that the privilege of Parliament does not extend to the case of writing and publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of law, in the speedy and effectual prosecution of so heinous and dangerous an offence.'³ But it was many a day and many a year, before 'the King and his party' got rid of the cry of 'Wilkes and Liberty,' which their own foolish tactics had thus created.

In this same session also, George Grenville first mooted what came to be known as the Stamp Tax, and which ultimately, though indirectly, severed the United States from the British Empire. It arose on the debate about Ways and Means, and took the form of an apparently innocent suggestion in connection with defending and securing the Colonies and plantations in America, 'that towards further defraying said expenses, it may be necessary to charge certain Stamp Duties in the said Colonies and plantations.'⁴ The Americans loudly denied 'the right of the Mother Country to impose taxes on the Colonies, not being repre-

¹ Hansard's *P. H.* vol. xv. p. 1337.

³ *Ibid.* p. 1362.

² *Ibid.* p. 1347.

⁴ *Ibid.* p. 1427.

sented in Parliament,' and the proposal went no further at that time.

But early in next session, 1765, the 'Stamp Act for America' was formulated on 'sixty-five resolutions' by the House of Commons, agreed to, and passed almost without debate, the minority numbering only forty; so little did any one realise the thunder-storm that was brewing over their heads!¹ But the Colonies were instantly ablaze. Their own Assemblies had offered to raise and vote freely 'a larger supply' than the Stamp Tax would produce; and now Virginia unflinchingly demanded its instant 'repeal'! It became the first axiom of all political existence 'that taxation and representation must go together.'² In October, at the invitation of Massachusetts, a 'Congress of all the Colonies' was held. The 'stamps for the new excise' were resolutely seized by the magistrates at Boston, and placed in official custody!

Hence the King's Speech, at the opening of the fifth session of this Parliament on 17th December 1765, solemnly announces,—'Matters of importance have lately occurred in some of my American Colonies which will demand the most serious attention of Parliament.'³ But the Houses were not misled, by this stilted reference, to minimise the events. The Earl of Hardwicke at once declared 'that the affair was the greatest in extent and in consequences that had ever come before Parliament.'⁴ Lord Chesterfield, writing to his son, sums up the social feeling in the tart remark, 'I would not have the Mother Country become a stepmother.'⁵ While Pitt, in the House of Commons, with a statesman-like grasp of the problem, warned the Government thus:—'Your success would be hazardous; America, if she fall, would fall like a strong man; she would embrace the pillars of the State, and

¹ Hansard's *P. H.* vol. xvi. p. 35.

² Green's *S. H.* ch. x. sect. ii. p. 747.

³ Hansard's *P. H.* vol. xvi. p. 83.

⁴ *Ibid.* p. 84.

⁵ *Ibid.* p. 89.

pull down the Constitution along with her.' His demand was, 'Let the Stamp Act be repealed totally, absolutely, and immediately.'¹

It was in this debate that Edmund Burke first opened his lips in Parliament, and his 'maiden speech' won the praise of William Pitt.

Also, it is before a committee of the whole House on this miserable business that Benjamin Franklin first crosses our path, giving evidence on the side of the Colonies.²

The motion to repeal the Act was finally 'carried by a vote of 275 against 167;' though, to soothe the susceptibilities of the 'King's Party,' a 'Declaratory Bill' was allowed to proclaim 'the right of Great Britain to make laws binding all the British Colonies in North America in all cases whatsoever.'³ That, in view of the other vote, practically meant, 'except in imposing taxes'—so, nobody was hurt. The Repeal of the Stamp Act, in 1766, was received with shouts of almost universal joy, even here in Britain itself.⁴ Pitt took the reins as Lord Privy Seal, and went to the Upper House as Earl of Chatham; and Chesterfield writes in his usual cheery cynical strain to his son,—'The joke is that Pitt has had a fall *upstairs*!'

During the sixth session, 1766-1767, 'wheat and corn had risen to famine prices.' The King's Speech had suggested 'an embargo to prevent wheat and flour from going out of the kingdom.' A Proclamation was issued, against 'the forestallers, regrators, and ingrossers,' by whose monopolies the famine was created.⁵ And, finally, Chatham's ministry laid an 'embargo' on the ships which were about to carry away from London what was 'necessary to the sustenance of the poor.' Thereon, political enemies, eager for a party stroke, raised a loud outcry against 'the suspending and dispensing Prerogative of the Crown,'—a kind of

¹ Hansard's *P. H.* vol. xvi. pp. 103-108.

³ *Ibid.* p. 177.

⁴ *Ibid.* p. 206.

² *Ib. d.* p. 137.

⁵ *Ibid.* p. 235, 246.

reductio ad absurdum of the famous words that had played so vital a part in the Great Revolution of 1688!¹

Another lash, also, was laid on the back of already restive America, in the form of a 'bill for suspending the Assembly of New York,' 'in 1767, for refusing to make provision for supplying with necessaries his Majesty's troops as required by Act of Parliament.'² In vain Governor Pownall appealed to the House, to let the 'mode of quartering and the act of making the supply for the expense of it originate with the people of the Colonies and be the act of their own Assemblies;' or to let it be a 'service of the Crown, which the Crown itself requires, and for which it makes the proper requisitions without the interposition of Parliaments.' That they might stand, but not this 'enforcing bill.'³ It would be the beginning only of a 'series of mischiefs.'

But King and Parliament had taken the bit between their teeth, and would listen to no remonstrance. The bill was obstinately pressed through. An additional dose of salt was unsparingly rubbed into the raw flesh of the American Colonies. George III. became hardened in his bigotry. Whom the gods would destroy, they first dement; and his infatuation raged against the Americans as 'rebels' and against Lord Chatham, as 'that trumpet of sedition.'

Such was the crisis amid which the thirteenth Parliament of Great Britain was opened on 10th March 1768.⁴ What came to be known as the King's Party took the reins of Government, and held them practically for fourteen years—one of the most disastrous and discreditable periods in British History.

First of all, the House of Commons, under such leadership, so mismanaged matters as to stir up Middlesex to elect and re-elect John Wilkes four times in succession, and return him defiantly against all opponents. When, at last, the

¹ Hansard's *P. H.* vol. xvi. p. 251.

³ *Ibid.* p. 341.

² *Ibid.* p. 331.

⁴ *Ibid.* p. 424.

House simply struck out Wilkes's name from the return, and declared his fellow-candidate, Colonel Luttrell, to be duly elected, the frenzy of the electors knew no bounds. They made Wilkes an alderman, and by-and-bye Lord Mayor. It was really impossible to make him a hero; but Parliament found itself standing face to face with an outraged Nation; and the name of 'Wilkes' and the cry of 'Liberty' rang together from the lips of the people.¹

Then the Government and the House quarrelled fiercely with that young untameable giant, the Newspaper Press. The unknown 'Junius' began polishing his rapier in 1769; and for four years his famous 'Letters' showed how the new Fourth Estate could make Kings and Cabinets tremble. Printers were summoned to the bar of the Commons for 'publishing their debates;' one was reprimanded, another arrested, and a third prosecuted, but all in vain.² Finally, about 1771, the struggle tacitly came to a close. The 'Morning Chronicle,' the 'Morning Post,' the 'Morning Herald,' and the 'Times,' sprang through the breach; and the reporter's pen became mightier than the sword.³

But above all, under the King and his Party, the American cloud grew blacker and blacker every year. At the opening of the second session of Parliament, the King complained about 'the spirit of faction breaking out afresh' in the Colonies of America, even to the extent of showing a disposition 'to throw off their dependence on Great Britain.'⁴ And in December of that same year, 1768, we hear 'the House of Representatives of Massachusetts Bay' charged with 'denying or drawing into question the power and authority of his Majesty to make laws and statutes of sufficient force to bind the Colonies and people of America;' while the town of Boston is declared to be 'in great disorder and confusion;' and there is a pious uplifting of the hands

¹ Hansard's *P. H.* vol. xvi. pp. 534-578.

² Green's *S. H.* ch. x. sect. ii. p. 751.

³ Hansard's *P. H.* vol. xvii. p. 58.

⁴ *Ibid.* vol. xvi. . 469.

in holy horror at the very idea of a 'new and unconstitutional authority independent of the Crown of Great Britain'!¹

In March, 1769, the House listens to a representation from the General Assembly of New York, denying 'the right of Parliament to tax them,' and even gets the length of debating a motion 'for the repeal of the American Revenue Act;' and in the third session, 1770, it attacks the subject again under a motion 'for the repeal of the American Tea Duty Bill.'² But that was the session in which the 'King's Speech' made equally solemn reference to 'the state of my Government in America,' and to the 'distemper among horned cattle.'³ So the wags of the Opposition ridiculed it as 'the Horned Cattle Session'! In May of the same year, we learn of 'disturbances' in America, and 'riots at Boston;' and eight Resolutions are submitted to the Commons, and eighteen to the Lords, 'for the Dissolution of the Assemblies of North America.'⁴

Thus were things kept simmering on till in 1773 three tea ships appeared in Boston Harbour. A 'Tea Duty' of three-pence per pound had been left, and was insisted on, though every other tax had been repealed.⁵ Boston, during these quarrels, had strictly and resolutely refused to 'import' British articles of commerce. Men, 'disguised as Mohawk Indians,' boarded the tea ships and emptied their cargoes into the sea! George the Bigot divined that he had now got his chance, and determined not to let it slip. The 'weak compliance of 1766,' that is, 'the Repeal of the Stamp Act,' still rankled for vengeance in his narrow soul. In March 1774, he sent a highly-strung message to Parliament regarding 'the outrageous proceedings at Boston, in the Province of Massachusetts Bay.'⁶ A great debate was held 'for the repeal of the Tea Duty;' and the burden of Burke's eloquent appeal was:— 'Let Americans tax themselves!'⁷ Both Chatham on this

¹ Hansard's *P. H.* vol. xvi. p. 477.

⁴ *Ib.* pp. 999, 1014. ⁵ *Ib.* vol. xvii. p. 940.

² *Ibid.* p. 852.

⁶ *Ib.* p. 1159.

³ *Ibid.* p. 642.

⁷ *Ib.* p. 1267.

side, and Washington on the other, lamented the Boston outrage, and were prepared to stand by the Government in its demand for redress. But George himself brushed all pleas aside, and insisted on what was nothing less than revenge. The Port of Boston was closed by Act of Parliament 'against all commerce.' The Charter of Massachusetts was 'cancelled.' The Governor was empowered to send the persons engaged in the disturbances 'to stand their trial in England'! And the poor King, half lunatic already with sheer bigotry, chuckled in his letter to Lord North,—'The die is cast; the Colonies must either triumph or submit!'¹

The fourteenth Parliament of Great Britain, elected during the autumn of 1774, brought no access of wisdom or of sense.² In the King's Speech there was complaint still of 'resistance and disobedience in the Province of Massachusetts Bay.' Chatham once more tried to save the Colonies to the Mother Country by a 'Provisional Act for settling the Troubles in America,' and by a distinct motion 'to withdraw the troops from Boston.'³ Lord North himself, despite his master, tried his hand at 'proposals for settling the differences;' and in March 1775 came Burke's 'Resolutions for Conciliation with America.'⁴

But the King and his Party pushed blindly on. Civil War was raging now. Thirty-three 'dissentient' Lords, to the reply to the King's Speech in October 1775, recorded their opinion on the journals of that House, that it was 'a cruel civil war,' an 'unnatural war,' and that 'foreign troops had been employed in it without the consent of Parliament.'⁵ Still pursuing his purpose, Burke, in November, during the second session, launched a 'Bill for composing the present troubles in America;' but all such efforts were contemptuously thrust aside.⁶

¹ Green's *S. H.* ch. x. sect. ii. p. 754.

² Hansard's *P. H.* vol. xviii. p. 33.

⁴ *Ibid.* p. 478.

⁵ *Ibid.* p. 726.

³ *Ibid.* pp. 150, 198.

⁶ *Ibid.* p. 963.

America, too, had at length made up her mind ; and George Washington, the first and greatest of her sons, her Wallace and her Bruce rolled into one supreme captain and king of men, had, with extreme reluctance, but also with invincible purpose, drawn the sword. His Militia tasted blood against the English troops in the skirmish at Lexington. They won their spurs for bravery at Bunker's Hill, though finally driven from the heights. They cooped up ten thousand veterans for a whole winter 'behind the lines of Boston.'

The Southern Colonies expelled their Governors at the close of 1775, and, on 4th July 1776, the delegates in Congress assembled proclaimed :—'We, the Representatives of the United States of America, . . . appealing to the Supreme Judge of the world for the rectitude of our intentions, solemnly publish and declare, that these United Colonies are, and of right ought to be, Free and Independent States.'¹

In opening the third session therefore of this same disastrous Parliament, October 1776, King George the Bigot, with eyes wide open in amazement, but with heart hardened as ever, announces :—'My Colonies of North America have openly renounced all allegiance to the Crown and all political connection with this country,' and having drawn his longest breath, he sighed,—'my unhappy people !'²

In opening the fourth session, November 1777, the King's Speech still chatters about 'constitutional subordination which, by the blessing of God, I will maintain throughout the several parts of my dominions ;'³ and Chatham is roused to make the fiery retort, 'You cannot conciliate America by your present measures. You cannot subdue her by any measures. . . . If I were an American as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms, never ! never !! never !!!'⁴

¹ Green's *S. H.* ch. x. sect. ii. p. 756.

² Hansard's *P. H.* vol. xviii. p. 1366.

³ *Ibid.* vol. xix. p. 355.

⁴ *Ibid.* p. 363.

We have no call here to follow further the miserable and suicidal struggle, except to prepare our readers to enter responsively into the new spirit of the new times on which these events are steadily launching us. The surrender of Burgoyne at Saratoga, in October 1777, the alliance of the United States with France in 1778, and with Spain in 1779, the revived claims of the Bourbons and the threatened dismemberment of the British Empire, plunged the nation into a wild despair.

In spite of the King's relentless bigotry and aversion, the country demanded the recall of Chatham to power; and in a great debate on the 'State of the Nation,'¹ he rose to deliver what proved to be his last speech. The hand of death was too manifestly upon him; but the spirit that he breathed roused a new soul in the men around him. He stood 'leaning on two friends, . . . lapped up in flannel, . . . pale and emaciated.' Within 'his large wig, little more could be seen than a great aquiline nose, and a pair of penetrating eyes.'² This was all that remained of the heroic William Pitt, of whom the Prussian Frederick exclaimed when he backed him in his Seven Years' War, 'England, long in labour, has at last brought forth a man!'³

No! there was more than that emaciated form; there was still the heart and brain of the patriot and statesman, who loved his country more than office, and who defied the blandishments of power in his earlier days, bluntly saying, 'I will not go to the Court, if I may not bring the Constitution with me.' And it was that spirit that rang now through his dying words, and saved his country by the passion of patriotism which he aroused:—'In God's name, if it must be peace or war, and the former cannot be preserved with honour, why is not the latter commenced without hesitation?'⁴ . . . Any state is better than despair—if we must fall, let us

¹ Hansard's *P. H.* vol. xix. p. 1012.

² *Ibid.* p. 1030.

³ Green's *S. H.* ch. x. sect. i. p. 728.

⁴ Hansard's *P. H.* vol. xix. p. 1023.

fall like men!’ On rising again, to reply to the Duke of Richmond, he ‘fell down in a swoon, was assisted to the Prince’s chamber, and thence home to Hayes to die.’

The nation rallied, however, at the dead hero’s call. For the next three years, Britain fought single-handed against the New World and the Old combined, and, though she could not conquer, she at least held her own. Even in America, Lord Cornwallis seemed, in 1780, to have turned the tide of victory in favour of our arms. In India, Robert Clive and Warren Hastings were at the same period shaping the possessions of a Merchant Company into our great Eastern Empire. But nearer home, Ireland, as usual, was making disturbance and creating anxieties; Spain demanded the surrender of Gibraltar as the price of peace; and France insisted upon Britain evacuating her whole Indian conquests, save only Bengal. Finally came the humiliating news of the surrender of Cornwallis at York Town to the army of Washington, while the French fleet held the sea, and famine raged within the lines. Poor Lord North went pacing wildly up and down his room, wringing his hands, and exclaiming—‘All is over!’

But, at that very moment, as so often before and since in Britain’s history, the fleet, the First Line of our defences, rescued us from doom. Admiral Rodney smashed the Spanish navy off Cape Finisterre. Then, sailing for the West Indies, he out-manceuvred the victorious De Grasse, and drove the French fleet, ‘shattered, from the sea.’¹ And at last, the allied armaments were overthrown at Gibraltar and the war was at an end. In November came the Treaties of Paris and Versailles. France and Spain were beaten, but America had won.

There is a look of touching innocence in the manner in which the King’s Speech, on 5th December 1782, comments on the announcement, ‘that the Colonies of North America

¹ Green’s *S. H.* ch. x. sect. ii. p. 761.

are recognised as Free and Independent States, by an article inserted in the 'Treaty of Peace.'¹ 'I have sacrificed,' continues George, 'every consideration of my own to the wishes and opinions of my people,' as if he could have helped himself, or done anything else ! There is sense, however, in the prayer with which he closes, and history surely testifies that it has been fulfilled—'that Great Britain may not feel the evils which might result from so great a dismemberment of the Empire.' The Empire has grown in extent and in glory every decade since, and grown the faster and the more gloriously the closer that Britain and America have drawn to each other as two peoples of one blood and religion and language,—the foremost civilising influences on the face of the Earth.

And perhaps the United States, in their grand Republican freedom and Constitutional order, will now forgive the old King the insinuation that is wrapt up in the other part of his prayer, viz., 'that America may be free from those calamities which have formerly proved, in the Mother Country, how essential monarchy is to the enjoyment of Constitutional liberty !' Dear old George ! He knew not what a glorious disproof of his own teaching he had helped to create in a Commonwealth where Monarchs are unknown ; unless, after all, the First Citizen there be but our King under another name, King by counting of votes, instead of by Parliamentary Acts of Settlement !

We now come back to our theme proper. It has appeared to us indispensably necessary for once to wander thus far afield, that our minds might be opened to appreciate the new influences at work in the world, and to understand the motives by which the later ages have been stirred. Had we shut out all this field of vision, the things that are about to be witnessed and observed could have been seen only in a purblind way. The whole field has thus been opened up ;

let us therefore use our eyes, and search for all the truth and master all the facts.

In the fourth session of the fourteenth Parliament, on 14th May 1778, we meet with what may really be called the opening of the New Campaign. It is known as Sir George Savile's 'Bill for the Relief of Roman Catholics,' and is described as a 'proposal for relieving his Majesty's Roman Catholic subjects from certain penalties and disabilities,' imposed on them by an Act of 11th and 12th of William III. intituled, 'An Act for the further Preventing the Growth of Popery.'¹

He founded his measure upon the 'Humble Address of the Roman Catholic Peers and Commoners of Great Britain,' presented to his Majesty on the 1st May by the Earl of Surrey, and the Lords Linton and Petre, and 'graciously received.' In this petition they presented themselves as 'dutiful and loyal subjects,' spoke of their 'respectful affection to the person of the King and their true attachment to the civil Constitution of their country,' which they declared to have been 'perfected by that Revolution which placed your Majesty's illustrious House upon the throne, and inseparably united your title to the Crown with the laws and liberties of your people.' They protest that 'their exclusion from many of the benefits of that Constitution has not diminished their reverence for it,' that they 'have patiently submitted to such restrictions and discouragement as the Legislature thought expedient,' and have 'thankfully received such relaxations, and now submissively wait for such other indulgence' as 'the mildness of an enlightened age and the benignity of his Majesty's Government' cannot fail to produce.²

They further assert,—'Our dissent from the legal Establishment in matters of religion is purely conscientious; we hold no opinion adverse to your Majesty's Government, or repugnant to the duties of good citizens.' They frankly appeal for

¹ Hansard's *P. H.* vol. xix. p. 1137.

² *Ibid.* p. 1138.

evidence to their 'irreproachable conduct for many years past,' and their 'utter detestation of the designs and views of any foreign powers against the dignity of your Majesty's Crown, or the safety and tranquillity of your Majesty's subjects.' And, finally, they avow themselves 'perfectly ready on every occasion to give such proofs of our fidelity and the purity of our intentions as your Majesty's wisdom, and the sense of the nation, shall at any time deem expedient.'¹

Sir George added, 'that as a further guard and security, he proposed that a sufficient Test might be formed by which they should bind themselves to the support of the civil Government as by law established.' But one may well ask, if there be nothing behind all this, if these Peers and Commoners are claiming *all* that Roman Catholics intend to claim, and if their protestations of fidelity to the Revolution Settlement are without reservation, why seek any further guard or additional security? Why not admit them, as other citizens are admitted, to all the privileges of the Constitution, and on the same generous terms? Simply and solely because, behind the Roman Catholics of Great Britain are the priests of Rome; behind these loyal and honourable Britons, whom we could all trust if left to themselves, are the abettors of the Papacy, whom no one has ever trusted without suffering for it; in one word, behind our fellow-countrymen who profess the Roman Catholic religion, and who if left alone would probably be as loyal and patriotic as any of us, there are the spiritual Militia of the Pope of Rome, the sworn servants of a foreign personage, who have proved on ten thousand pages of history that their allegiance to him dominates and divides their allegiance to their own Sovereign and country.

It is not because these British Commoners and Peers are in themselves deserving of suspicion, that any difficulty has ever been created about their place in the Constitution and

¹ Hansard's *P. H.* vol. xix. p. 1139.

citizenship of the country; but solely and exclusively because, by their very religion, they are bound to submit their conscience to the guidance and domination of others, who neither can, nor ought to be trusted with power or government in a free Protestant country. Let all this be very carefully noted in connection with the first petition in this new campaign for concessions to Popery, or rather to 'Roman Catholics,'—for we have pledged ourselves to use the name now formally introduced into the vocabulary of Parliament for the first time since the Reformation.

The debate on Sir George Savile's Bill was the first of a series that lasted almost incessantly for more than fifty years. That series may be said to have ended with the passing of the Relief Act of 1829; and thereon began the new series, which, though in a more desultory fashion, has raged on till the present day, and the end of which is not so easily foreseen; though this History should enable every thoughtful reader to forecast it with almost unerring certainty. But, in this first debate, and in all these which follow, we must here be content with getting in each case only the gist of the argument; but getting it in the very words of the speakers themselves, that what is written may carry with it unquestioned and unquestionable authority.

In the House of Commons, Mr. Dunning set forth 'the great grievances and penalties,' complained of by Sir George and his clients, to be these: 'the punishment of Priests or Jesuits for teaching or officiating as high treason or felony;' 'the forfeiture of Popish heirs,' that is, the son or next heir having power to take possession during the lifetime of the Popish proprietor; and 'the depriving Papists of the power of acquiring any legal property by purchase.'¹ These, he warmly contended, ought to be repealed.

Attorney-General Thurlow touched the subject very cautiously. He 'wished not to go in for repealing this or

¹ Hansard's *P. H.* vol. xix. p. 1139.

that obnoxious clause,¹ but to take up the principles on which the laws on each head were enacted; and so to modify the indulgence to be given to Roman Catholics, as not to lose sight of the civil objects for which they were originally framed.' The 'allowing of the preaching and teaching of Priests required great consideration,' as to 'how far they thought it safe;' but, 'as to the education of their children in the manner which parents thought best, to remedy so glaring an evil required little hesitation.'²

Lord Beauchamp was much more pronounced. He regarded the motion as 'not likely to meet with one dissentient voice.' It would be further 'an example to the Irish Parliament to give relief to their Roman Catholic brethren there, where even the right to take building leases in corporate towns was most ungenerously refused to them.' He contended 'that so little an indulgence should not be accompanied by any test,' and 'that the repeal of these disabilities would be rescuing our statutes from a disgrace.'³

The enthusiasm grew as the debate proceeded, and the bill was agreed to *nem. con.*, the Lord Advocate, Henry Dundas, volunteering that he would immediately bring in a 'motion to repeal the similar statute in Scotland' also!⁴

Before the end of May, we find the bill of Sir George Savile marching on its way through the House of Lords almost unopposed. Dr. John Hinchcliffe, Bishop of Peterborough, was 'a warm friend to the principle of the bill.'⁵ There ought to be 'neither penalty nor restriction on the intercourse between God and a man's conscience.' But, he admitted, it was 'very difficult to consider the religious principles of Popery distinctly from its political superstructure.'⁶

The Marquis of Rockingham praised the Roman Catholics as 'a very dutiful and loyal part of his Majesty's subjects,' and characterised their disabilities as 'hardships disgraceful

¹ Hansard's *P. H.* vol. xix. p. 1140.

⁴ *Ibid.* p. 1142.

² *Ibid.* p. 1141.

⁵ *Ibid.* p. 1143.

³ *Ibid.* p. 1141.

⁶ *Ibid.* p. 1144.

for any Government to inflict.’¹ And the Earl of Shelburne marked out the limits of the bill and of the debate, ere it passed once more *nem. con.*, in these suggestive words, ‘a liberal toleration of their religion, and a security and free disposal of their property,’²—but not a hint of any claim beyond!

It is the cry for Toleration which begins the campaign ; no sound of a plea for Equality, much less for Supremacy ; nay, these are at first, as always in this struggle, distinctly abjured.

This same fourteenth Parliament is also memorable for largely opening up another question closely allied to that here discussed, and which sorely tempts us. It is one of the most intensely interesting of all Parliamentary themes : the gradual relaxing and finally abolishing of all restrictions upon the Nonconformists of the country. In the fifth session, it took the form of a ‘Bill for further Relief to Protestant Dissenters,’³ presented on 10th March 1779. Seven years ago, a bill, with an exactly similar title,⁴ had been carried in the Commons, but rejected by the Lords. But now the argument of Sir Henry Hoghton seemed irresistible, when, referring ‘to the favour lately done to the Roman Catholics by the Legislature,’ he contended that it was ‘much more necessary to afford some relief to the Protestant Dissenters,’ and that it would be ‘most absurd, and a violent inconsistency, to refuse toleration to Sects who were quiet, inoffensive, and useful citizens.’⁵ Its main practical effect would be to grant Relief to Protestant Dissenting Ministers and Schoolmasters.

Sir William Bagot, on the other hand, representing the fossilized bigotry of a past age, denounced the measure ‘as an essential alteration in the Constitution of this country. . . . That it marked the progress of Atheism ; . . . and that it contained no subscription or pledge, as a security that they would not attack the fundamental doctrines of Christianity!’⁶

¹ Hansard's *P. H.* vol. xix. p. 1144. ² *Ibid.* p. 1145. ³ *Ibid.* vol. xx. p. 239.

⁴ *Ibid.* vol. xvii. p. 431. ⁵ *Ibid.* vol. xx. p. 240. ⁶ *Ibid.* p. 241.

This brought John Wilkes to the front. He denounced 'Persecution as the active demon, not Toleration, in creating tumults and religious wars.' 'I deny,' he continued, 'the publication of any considerable number of atheistical works during the last half century. . . Deism indeed, sound and pure Deism, has made rapid progress, not only in these islands, but on every part of the Continent. . . It has almost become the religion of Europe.'¹ He then explained 'that a Dissenting Preacher was now obliged to subscribe 35½ of the Thirty-Nine Articles,' being exempted from the 34th, 35th, 36th, and part of the 29th, and, expressing his 'horror at the total want of charity in the Athanasian Creed' with its damnatory refrain, 'without doubt he shall perish everlastingly,' he closed by declaring that the moment for this measure had been 'happily chosen, for the bandage is at last fallen from the eyes of superstition, and persecution has dropped her iron rod.'²

Sir Roger Newdigate averred that 'his levees were crowded with honest, worthy, and respectable Protestant Dissenters, complaining of the danger of the measure, because, under pretext of relieving them from subscription, it would let in Anti-Trinitarians, Anabaptists, and all manner of Sects, with consequences infinitely mischievous to religion in general!'³

And Sir Adam Ferguson crowned the line of argument by reminding them 'that the Episcopalians were Dissenters in Scotland,' and affirming 'that no sect could enjoy greater toleration than they did there.'⁴ 'They had,' he continued, 'a very large Church at Edinburgh, and performed their religious offices with the greatest splendour and the greatest freedom; neither were they asked to subscribe any Articles of the Church of Scotland, nor to give any test whatever of their principles.'

¹ Hansard's *P. H.* vol. xx. p. 244.

³ *Ibid.* p. 246.

² *Ibid.* p. 246.

⁴ *Ibid.* p. 247.

Finally, the motion for leave to bring in the Bill 'passed almost unanimously.'¹

Accordingly we find the measure, 'for the further Relief of Protestant Dissenting Ministers and Schoolmasters,' read a second time, on 17th March, almost without debate. A certain Mr. Moysey, indeed, with logic keen as the scent of a sleuth-hound, acutely remarked: 'It was a great deal to expect from any Legislature, that it should authorise any order of men to preach against its own Church, which would be the effect of this bill! Further, that the late Act for the Relief of Roman Catholics afforded no argument, unless it should appear that not only the Papists themselves, but also their Popish Priests, were actually to be tolerated.'²

The real tussle came when the House sat upon the Bill in Committee, which stage was reached on April 20th. A petition came from Oxford, signed by the Chancellor, Masters, and Scholars, against the bill, unless a clause were inserted 'declaratory of the Christianity of those who were to be relieved.'³ Lord North pointed out 'that the Turk, the heathen, the idolator might by this Act, without such a clause, think themselves tolerated in propagating these several tenets;' and he moved, 'that every dissenter in order to be tolerated should declare,—"I, A. B., do solemnly declare that I am a Christian and a Protestant Dissenter; and that I take the Holy Scriptures, both of the Old and New Testament, as they are generally received in Protestant countries, for the rule of my faith and practice."⁴ Fox 'objected to every kind of test, and would rather relinquish the bill than accept that particular clogging test.' Wilkes hoped to see 'the bill go through unclogged by the tests proposed.'⁵ As a pure Voluntary of the first water, alike political and religious, he delivers himself thus in one of the earliest recorded definitions of the Secularist System:—'The Civil

¹ Hansard's *P. H.* vol. xx. p. 305.

³ *Ibid.* p. 308.

⁴ *Ibid.* p. 308.

² *Ibid.* p. 306.

⁵ *Ibid.* p. 309.

Magistrate has to do only with the preservation of life and possessions and liberty—houses, goods, effects, all kinds of property ; but has not the least concern with the salvation of souls. Locke would tolerate an idolator, not an atheist. I cannot assign any cause of difference, supposing each to be a peaceable subject. The sole business of the Magistrate is to take care that they do not persecute one another.¹

Wilkes further pointed out that the Toleration Act was ‘incomplete ;’ that it breathed a ‘spirit of persecution,’ as, for example, against those who denied the Athanasian doctrine of the Trinity, ‘though many learned and pious men have thought it direct Polytheism.’² The Homilies, he declared to be ‘a libel on our Free Constitution,’ teaching that, ‘for conscience’ sake we must submit’ even to most cruel tyrants,—‘then was the Revolution itself unjust !’ In vain are all such contentions, ‘for in every extreme case we find Nature resume her rights ; and justice triumphs in one country by the bow-string, in another by the axe.’³

Then, launching out on the other,—the Roman Catholic question,—Wilkes boldly took the lead of all their advocates by driving the new principles announced at once to their logical issues : ‘If the Roman Catholic will take the real Civil Test, the Oath of Allegiance, he has a claim to the same civil immunities with all other subjects. I wish not to offend, but I declare that I am sorry the Roman Catholic has not the enjoyment of every franchise, which is claimed by his fellow-subjects, on the same terms of allegiance and giving the same security to the State.’⁴ Pausing for a moment, for the House stood ‘aghast’ at this fearless proclamation of the goal to which the new movement must inevitably lead, if consistently pursued, he continued :—‘Gentlemen seem surprised ! But it seems to me that, by that oath, the Roman Catholic directly abjures the *Imperium in Imperio*, gives

¹ Hansard's *P. H.* vol. xx. p. 311.

³ *Ibid.* p. 314.

² *Ibid.* p. 312.

⁴ *Ibid.* p. 315.

security for the public peace, and allows the Civil Magistrate all the power which the great purpose of society confers on him.¹

Wilkes retorted on the University,—‘Oxford perseveres in the fatal maxims of arbitrary power in Church and State.² . . . The Act of last year extended to Papists, or persons professing the Popish Religion, and keeping school, and taking upon themselves the education or government or boarding of youth. . . . There was no religious test enjoined, yet Oxford did not petition. . . . The present Act is for the Relief of Protestant Dissenting Ministers and Schoolmasters, and Oxford insists upon a test for our Protestant brethren : whence this marked partiality ? this tenderness to the Roman Catholic ? this ungenerous treatment of Protestants ?’³

And, in closing, he exclaimed,—‘I contend for the most generous and unlimited toleration . . . like that of Holland . . . entire security, and freedom of private judgment, to every peaceable inhabitant. . . . Embrace the present auspicious moment for convincing all foreign nations that this island will be the asylum of persecuted religion and virtue . . . unclogged by penal tests.’⁴

On the 28th April, Mr. Dunning and Mr. Goodriche were again holding forth against all tests, when Lord North, still riding on both sides the rail, according to his nature, got up to explain ‘that the few who did not sign the Declaration would never be molested,—that it was not the spirit of these times to trouble men for their religious opinions ;’ and so the Declaration was carried by 95 against 59 ; and, on May 18th, the bill received the Royal Assent, and became law.⁵

On the 15th March preceding the Lord Advocate of Scotland was questioned by John Wilkes, and reminded of his promise, last session, to ‘bring in a Bill of Relief for that country too,’ that the abolition of these Penal Laws might be

¹ Hansard’s *P. H.* vol. xx. p. 316.

³ *Ibid.* p. 318.

⁴ *Ibid.* p. 321.

² *Ibid.* p. 317.

⁵ *Ibid.* p. 322.

‘completed’ throughout Great Britain.¹ Dundas was obliged, with his finger in his mouth, to say, for he had reckoned without his host, that the mention of it ‘had produced such tumults and insurrections, . . . such violent opposition, . . . that, on failing to reconcile the people to the measure, the principal Roman Catholics had themselves advised him, that it would be much better to decline all attempts to secure an Act in their favour, till time and cool persuasion should remove the unhappy prejudices of the Protestants of that country.’ And Wilkes fiercely retorted, ‘that the honour and independence of this House were being meanly sacrificed to the mobs of Edinburgh and Glasgow,’ that it was ‘an encouragement to the mob of London to rise,’ that Scotland ‘obstinately refuses to relax her Penal Laws, which were more barbarous than those of England or of Ireland,’ and that, ‘when peaceable and loyal Roman Catholics could find no security even in the capital, there was a dissolution of all Government.’²

Accordingly, on the 18th of the same month, we have submitted to the House, by command of his Majesty, the ‘Petition of the Roman Catholics of Scotland for Relief.’³ The Roman Catholics residing in Edinburgh and Glasgow beg to lay before this honourable House ‘the treatment’ they have lately met with, ‘from the fury of a misguided populace, and to implore redress and protection.’ They describe themselves ‘as harmless and useful subjects of the British Empire,’ serving their country ‘at the expense of lives and fortunes,’ who ‘ventured to hope that the late relaxation of the Penal Laws in England against their fellow-subjects would be extended to them.’ Their postponing for a year the demand for relief had, they assert, ‘been used to exasperate the lower people into a great violence,’ by ‘papers and pamphlets representing them as enemies to society.’ While that ferment lasted, they ‘gave up every thought of applying to Parliament,’ rather than endanger the peace of

¹ Hansard’s *P. H.* vol. xx. p. 280.

² *Ibid.* p. 281.

³ *Ibid.* pp. 322-326.

their country. Yet 'the most violent tumults arose.' They have been 'plundered, burned, and insulted, and their very lives threatened.' And they ask, 'to whom can we fly but to the justice and mercy of Parliament, . . . precluded from redress in all inferior courts?' They protest, 'We are far from resentment, or desiring any person to be punished, . . . and we lay aside all thoughts of asking any relaxation of the severe laws against us at this time; . . . though it is hard that we alone are denied that relief granted to our brethren; . . . protesting to the world that our consciences acquit us of any offence either in opinions or in actions, and being ready to give the most effectual proofs, which the wisdom of your Legislature can suggest, of our fidelity to his Majesty and attachment to the Constitution of our country.' Finally they enforce the main object of their petition in these words, 'Yet the duty of self-preservation will not suffer us to renounce all claim to every sort of protection, or our humble endeavours for compensation for our heavy losses.'¹

Burke thereon fulminated against the Scotch Rioters, and moved, 'that the petition be referred to a Committee.' He exclaimed that 'he hoped the Government was not dead, but only asleep.' A titter ran round the House, for, at that moment, it was observed that the Prime Minister was fast asleep! Pointing to him, in his ponderously eloquent way, Burke continued, 'Brother Lazarus is not dead, but sleepeth!' whereupon Lord North wakened up, and joined in the roar of laughter. Fox insisted upon 'the repeal of all Penal Laws, and not to be deterred by little insurrections in small corners of the Empire.'² But Lord North assured them 'that compensation was being made voluntarily by the Magistrates of these cities,' which blunted not a little the edge, if not the honesty, of the petition; so 'the previous question' was carried at once, and without a division.

But the subject revived again. Lord George Gordon, on

¹ Hansard's *J. H.* vol. xx. p. 326.

² *Ibid.* p. 327.

5th May, submitted a violent motion: '(1) That the said Popish petitions be thrown over the table; (2) That further proceedings on them be postponed to this day three months.' He declared 'that the people of Scotland were ripe for insurrection; . . . that the religious Constitution of Scotland was sacred against any law the Parliament of Great Britain could enact for its alteration,—that being a fundamental condition on which the Union of the two Kingdoms was entered into and confirmed; unless by the joint consent of the Provincial Synods and the people at large in their elective and corporate capacities, no other power on earth was competent to interfere; their religious Establishment and their Municipal Laws the Scotch regarded as inherent and inalienable, and would prefer death rather than slavery.'¹ But the House did not rise to this highly-seasoned bait, and the motion fell to the floor unseconded. The first term of it was carried, but against his own proposal,—it was 'thrown over the table!'

But Parliament did not thus easily lay the ghosts that they themselves had raised. The later months of the Sixth Session of the Fourteenth Parliament were consumed with similar discussions and riotous proceedings that arose thereon. On 27th April 1780 Lord George Gordon presented a 'Petition from Ayrshire against the Growth of Popery,' and prayed for leave to bring in a bill for repeal of the late Acts passed in favour of the Roman Catholics.' He made a wild rambling speech, and had to be unceremoniously 'called to order.'²

On June 2nd Lord George was again to the front, with a petition from 'The Protestant Association,' bearing one hundred and twenty thousand signatures. He declared that 'sixty thousand' of the petitioners were at that moment crowding into the lobbies and blocking the avenues to the House! And sure enough the Sergeant-at-Arms found himself unable to clear the ways. The Sheriff of the county was summoned,

¹ Hansard's *P. H.* vol. xx. p. 622.

² *Ibid.* vol. xxi. p. 533.

informed of 'the tumultuous assembly,' and reminded that it was the duty of himself and his brother Magistrates to preserve the peace, 'with the whole power of the country at their back if necessary.'¹

The petitioners, as 'Protestants and Britons,' complained of the Repealing Act of last session,—'that it had been suddenly introduced, and hastily passed,—that it had been construed to be a toleration of Popery, as appears by the Mass-houses and schools being opened throughout the kingdom, the printing of Popish books, and exposing them for sale, and by the Popish priests, Jesuits, and schoolmasters, now openly exercising their function.'² They protest 'that Popery is in its nature intolerant, and in a Protestant country necessarily seditious.' They sincerely declare that 'they do not desire to persecute the Papists; but to preserve themselves and posterity from the repetition of these rebellions and bloody scenes, which Popery, under pretence of promoting the interests of a Church, has exhibited in these kingdoms.' On the same day, and at the same hour, a similar petition was being presented to the Upper House, and the Lords within were discussing the unseemly 'Riots,' while late-coming Peers were being 'hustled hither and thither in the yard at Westminster,'³—Lords Spiritual and Lords Temporal, as if they were only common clay!

In the Commons, on the following Tuesday, June 6th, we hear some echoes of the riots going on there and throughout the city, in a motion by Mr. Buller, for 'an address to his Majesty to prosecute the instigators and abettors of the riots on Friday last in Old Palace Yard and the avenues to the House, or those concerned in any of the outrages committed.'⁴ Burke thundered with his ponderous eloquence against 'the alarming and dangerous proceedings of the populace,' was severe against 'the misleaders of the people,'

¹ Hansard's *P. H.* vol. xxi. pp. 655-659.

³ *Ibid.* p. 672.

² *Ibid.* p. 657.

⁴ *Ibid.* p. 660.

and upon the Government 'for the laxity of the Police.' A bludgeoned mob' must be met by an 'armed soldiery!' Fox too concurred, and the rioters and their misleaders were badly handled.

All the more surprising is it, nevertheless, to find a Committee of the whole House, within a fortnight, on the 20th June, eagerly discussing proposals for 'Securing the Protestant Religion.'¹ We learn that it is founded on these very petitions, and others similar, 'against the Act of the 18th of his Majesty,' which 'repealed the Act of the 11th and 12th of William III. for further preventing the growth of Popery.' Sir Joseph H. Mawbey 'wished proof of the allegations, and intimated that some of his constituents in the lobby were ready with evidence to prove the increase of Popish Schools, Seminaries, and Chapels.'² Sir George Savile contended 'that an opportunity ought to be given to prove the facts.'³ Lord Beauchamp complained 'that pains had been taken to misrepresent the Act in question.' He ridiculed the 'eighty-five societies at Glasgow,' that had sent petitions, as 'no other than little ale-house clubs.' If Popish schools 'did receive the children of Protestants, it might be right to make a new law.'

Mr. Ambler contended that 'the bill went too far.' Papists 'ought to be guarded against; but the inhumanity of permitting a son to deprive the father of his estate on the score of religion ought not to be enforced.' He commended the Courts of Law for 'always endeavouring to prevent such persecution.' He would 'repeal, in part at least, the late Act; Papists ought not to purchase more lands than they had already, and they ought not to be permitted to open schools.'⁴

Lord North asked,—'Could any man think that imprisonment for life was proper punishment for saying Mass?' He opposed this repeal on the score of policy—'it was impolitic to continue restraints of that sort, which were a total bar to

¹ Hansard's *P. H.* vol. xxi. p. 702.

³ *Ibid.* p. 703.

² *Ibid.* p. 702.

⁴ *Ibid.* p. 704.

all ambition.' He affirmed 'that Popery had been at a decline ever since the Revolution, and, according to the Red Book, even during the last twenty years. . . . There were no Jacobites now, and very few Peers professed the Roman Catholic religion.'¹

Sir George Savile was against proceeding with any bill, 'while there was still a mob at the door,' though admitting that petitions, 'even from the meanest, ought to be duly weighed in that House.' The enjoyment of lands 'was taken from Papists, owing to their connection with Foreign powers,' but they ought to have 'perfect security in the enjoyment of their property,' and the right to 'educate their own children; but, if Protestant children had been seduced thither, a bill ought to be brought in to prevent such practices.'²

Fox, digging down to the principles at stake, as was his custom, enlivened the discussion: 'His objection, had he lived at the Revolution, would have been, not that the House of Stuart had embraced Popery, but that Popery had embraced the House of Stuart; that the House of Stuart was supported in its attempt on the liberties of the nation by Popery in general.' But he argued that 'now no such dangers were to be apprehended; the Pretender was out of the question; and every Papist abjured the Pope in temporals.' He was himself 'the friend of universal toleration, and objected to those who came to desire Parliament to shackle and fetter their fellow-subjects, instead of desiring grievances of their own to be removed.'³

Lord Advocate Dundas 'lamented that the ringleaders at Edinburgh had fled—that they had in custody only some of the lowest and meanest of the rabble, against whom there was no sufficient evidence.'⁴

Spencer Stanhope held 'that the late Act did not go far enough in favour of Roman Catholics, but it might be proper to restrain them from educating Protestant children.'⁵

¹ Hansard's *P. H.* vol. xxi. pp. 704-705.

³ *Ibid.* p. 706.

⁴ *Ibid.* p. 707.

² *Ibid.* p. 705.

⁵ *Ibid.* p. 707.

Alderman Bull, on the other hand, had 'pleasure in seeing at length a spirit of opposition to that encouragement which Popery had so long been receiving from the servants of the Crown . . . I abhor persecution,' continued he; 'not on account of any of their religious tenets do I object to them, but because they cannot give any security for their civil obedience under any Protestant government whatever.'¹ . . . This is not religion, but priestcraft and statecraft. . . . Popery is a religion falsely so called—a system which supplants moral honesty in the world, and tends to subvert the peace and order of society. . . . Under a specious mask of tenderness for the Papists, there lurks a design to sacrifice the valuable inheritance purchased with the blood of our ancestors, and the security of the Protestant religion, at the shrine of Popery.'²

Burke reflected upon the worthy Alderman 'for ignorance and lack of erudition,' but was sharply 'called to order.' He resumed, however, declaiming that 'the petitions had arisen from bigotry and fanaticism,' and the rioters showed 'the inhumanity of mobs.' He read the names of the petitioners, of whom some were women, who had in many cases to sign by 'their mark,' and then he cried, on the verge between the sublime and the ridiculous,—'These monsters, not being able to read or write themselves, were desirous of preventing others from receiving education!' Thereafter he threw himself into a wide philosophical dissertation on the character of the Papacy and the principles of toleration. As usual, he was listened to by empty benches, for he got the nickname of being 'the dinner-bell,' owing to his phenomenal capacity of thinning the House, and the close of his great speech was drowned amid sounds of impatience and cries of 'vote.'³

Sir John Mawbey, therefore, felt encouraged to 'rebuke the last speaker for his passion and asperity,'⁴—such was the measure applied to all his mighty eloquence! For himself, he had

¹ Hansard's *P. H.* vol. xxi. p. 707.

³ *Ibid.* pp. 709-710.

² *Ibid.* p. 708.

⁴ *Ibid.* p. 710.

‘no connection with the Protestant Association ; he detested persecution ; he abominated the excesses of the riots. . . . At the same time, let this House be guarded in their conduct regarding Popery. It was a religion intolerant in itself, and, if uppermost, would persecute others. . . . Papists ought not to be permitted to educate Protestant children. . . . Popery was more suited to despots than any other religion. Notwithstanding the exception in some of the Cantons of Switzerland, Popery and Tyranny were everywhere seen hand in hand round the whole world. . . . The execrable *Quebec Bill* had founded and established Popery ; and the people thought that it was now meant here also to encourage it little by little.’¹

The following Resolutions were thereon read and unanimously agreed to : ‘(1) That it is the opinion of this Committee that the effect and operation of the Act of last Session has been misrepresented and misunderstood ; (2) That the said Act, in the eighteenth year of his present Majesty, does not repeal, or alter, or in any manner invalidate, or render ineffectual, the several statutes made to prohibit the exercise of the Popish religion, previous to the statute of the eleventh and twelfth of William III. ; (3) That no Ecclesiastical or Spiritual Jurisdiction is given by the said Act to the Pope or See of Rome ; (4) That this House does and ever will watch over the interests of the Protestant religion, that all attempts to seduce the youth of these kingdoms from the Established Church to Popery are highly criminal according to the laws in force, and are a proper subject for further regulation ; (5) That all endeavours to disquiet the minds of the people by misrepresenting the said Act, as inconsistent with the safety or irreconcilable to the principles of the Protestant religion, have a manifest tendency to disturb the public peace, to break down the union necessary at this time, to bring dishonour on the national character, to discredit the Protestant religion in the eyes of other nations, and to

¹ Hansard's *P. H.* vol. xxi. p. 712.

furnish occasion for a renewal of the persecution of our Protestant brethren in other countries.’¹

When the House resumed, Mr. Ellis at once obtained leave to bring in, on that basis, a ‘Bill to secure the Protestant religion in Great Britain from any encroachment of Popery, by more effectually restraining Papists, or persons professing the Popish religion, from teaching or taking upon themselves the education or government of the children of Protestants.’ It was read a first time on June 23rd, and the second reading debate was taken on the 26th of the same month.²

Sir Joseph Mawbey still, or rather again, had his ‘witnesses attending in the lobby, prepared to prove every allegation in the petitions.’³ For his part, he declared ‘that the Popish doctrines of passive obedience and non-resistance were dangerous and damnable opinions in a free country.’⁴

Mr. Ambler was extremely ‘shocked’ at what had been done; ‘the repeal of these Acts could not be endured: the petitioners numbered sixty thousand, many of them men of fashion and sober temper; the Roman Catholics had rid fast indeed, during these two years they had thirty-three schools already set up in London!’⁵

Sir George Savile himself, the promoter of the measure that raised the riots, now declared that ‘if there were any weight in the objection that this Act repealed former Acts of restraint on Popish schoolmasters, it might deserve very serious consideration.’ He ‘had in his hand a list of Popish schools, that alone proved the fitness of some regulations; further restraints ought to be put on, if these cases existed.’⁶

Lord Beauchamp ridiculed a proposed amendment, ‘to prevent Papists from taking Protestant children as apprentices,’ as being a ‘restraint on trade and commerce,’ . . . ‘as if every blacksmith who took an apprentice were supposed improperly to influence his mind!’⁷

¹ Hansard’s *P. H.* vol. xxi. p. 713.

⁴ *Ibid.* p. 716.

⁵ *Ibid.* p. 716.

² *Ibid.* p. 714.

⁶ *Ibid.* p. 717.

³ *Ibid.* p. 715.

⁷ *Ibid.* p. 718.

Thereon Burke lashed into the fray with his stately logic. He was 'sorry for the credulity of the age and country in which he lived.' They had before them 'no evidence and no accusers.' . . . 'No seminaries, as that word is properly understood, existed in England. He was sorry for it! He was sure a man had better be so bred in England, than in France, Flanders, or Spain. . . . No schools, teaching literature, science, or classics, not one, had any "foundation." . . . As to the day-schools, they were never the objects of jealousy. . . . And there was not a single boarding-school existing in London. . . . There were great numbers of Irish Roman Catholics who did nearly all the labour of the Metropolis, and he thought they should have some place where they might educate their children. . . . There were fifty thousand Protestant children maintained at school in this town, and yet they were afraid of a miserable Charity school for the Papists!'¹

The clause about apprentices was withdrawn, and then Lord Beauchamp raised another great debate over a proposal 'confining the offence to the keepers of boarding-schools only.'² It took the form of deciding whether the clause following should stand with 'or' or with 'and,' namely, 'the educating, teaching, instructing [^{and}_{or}] boarding a child, or children of any of his Majesty's Protestant subjects.' The 'or' carried the day, thereby rejecting Lord Beauchamp's amendment. And Burke, utterly disgusted, sailed away from the House, protesting aloud that 'such a bill he could attend no further!'³

It finally passed the Commons on June 28th; but, to show the sense in which they meant it, and also to indicate to posterity how little they foresaw the issues of the campaign, they inserted into the bill itself this qualifying clause, on the motion of Sir John Mawbey: 'That nothing in this Act contained shall be construed to extend to repeal, or in

¹ Hansard's *P. H.* vol. xxi. p. 720.² *Ibid.* p. 724.³ *Ibid.* p. 726.

any manner invalidate, any of the laws now in being respecting Popery, or persons professing the Popish religion.'

Careful readers, too, will observe how, in the reaction of the time, both the statutes and the speakers have largely laid aside the term 'Roman Catholic,' and instinctively grasped as the handiest and most characteristic weapons the old historic titles, 'Popery,' and 'the Popish religion'—a phenomenon of which we have had examples often since then in our own day. The names of courtesy drop when the struggle deepens; the names of conflict are felt to be the most sincere in the thick of battle.

When the bill reached the Lords, the Duke of Grafton, greatly devout, 'invited the Reverend Bench to originate any modification of the law.'¹

The Bishop of Peterborough responded that, 'so long as prejudices and passions form a part of human nature, there is no preserving any Government whatever in peace and security without attending to them.'¹ He was 'apprehensive that the bill would be misconceived and misrepresented, and thereby furnish too much occasion for alarm and offence.' 'But,' continued he, 'this Act is particularly defective, in that while it gave relief from all more rigorous restraint upon the exercise of the Roman Catholic religion, it did not make exceptions, or provide any means for preventing persons professing Popery from making proselytes, or admitting the children of Protestants into their schools and boarding-houses. . . . Many sober-minded men express serious apprehensions lest the relief granted by this bill might, on some future emergency of State necessity, be the prelude or foundation of further instances of confidence; . . . hence the supposition that offices of trust or power, Civil or Military, are intended hereafter to be committed to Roman Catholics.'²

Earl Ferrers 'moved for an exact enumeration of the Roman Catholics, within their districts, to be taken by the

¹ Hansard's *P. H.* vol. xxi. p. 754.

² *Ibid.* p. 756.

Parochial Clergy, and that the same be laid before the House on the first day of next session.¹ Whereon the Bishop of Bath and Wells immediately rejoined that 'he had already made such inquiry. . . . Two generations ago, when made by Dr. Gastrell, the Papists in the country numbered 68,000 ; in Cheshire, the most Popish county of England, they were then 37,000 ; in 1767 they had dwindled to 25,000 ; and now they were only 16,000, so that there was a general diminution.'²

Lord Chancellor Thurlow 'had no ambition to be deemed an active zealot for indiscriminate toleration. Even Mr. Locke had carried his ideas too far for his concurrence. It might, in its consequences, prove highly obnoxious to the peace, interest, and comfort of the State where such toleration existed.³ His own notions were briefly these : 'If a set of religious tenets are replete with ignorance, bigotry, cruelty, and other such qualities as have a tendency to disturb the domestic repose of that part of the kingdom in which these tenets are received, reject them, extirpate them, let them have no quarter nor existence amongst you.'⁴ . . . On the contrary, if the nature of this religion be such as to have no effect upon the Civil enjoyments of the general body of the community, then let it submit in quiet, and, in God's name, let its votaries pursue it without interruption or disturbance. . . . Now, what had Roman Catholics done since last year, when a bill was passed exonerating them from a number of most tyrannical and unchristian grievances? Nothing that had been proved. . . . Therefore, they may be permitted to pursue every species of instruction or teaching which they think proper ; only let them not have your children totally under their management, so as they may influence their morals, or lessen the necessary attachment of such children to their original and established religion. . . . Everything short of this can do us no ill, and would do them

¹ Hansard's *P. H.* vol. xxi. p. 758.

³ *Ibid.* p. 759.

² *Ibid.* p. 758.

⁴ *Ibid.* p. 760.

an infinite injury ; but everything beyond this is to be guarded against as one of the first of all possible political evils.'¹ His amendment, which passed the Committee, was in these words : 'That Roman Catholics be permitted to teach anything in any manner they think proper ; only that they be not suffered to keep boarding-schools, or any such seminary as may give them the exclusive government of the children under their direction.'² The Lord Chancellor and his brother Peers seem to have had some funny, but to us inscrutable, notion about the different characteristics of ordinary teaching, as compared with teaching and boarding together. In the one case, it may be innocuous ; in the other, the greatest of political evils !

Next day we find the Archbishop of Canterbury 'retracting the acquiescence which he had formerly given as to the liberty of Roman Catholics keeping day-schools. . . . It was extremely improper to extend their indulgence to Roman Catholics to such a degree.'³

The old chronicler tells us that the bill, though pushed through with amendments by the Lords, was 'afterwards lost.'⁴ Probably the sudden prorogation on 8th July may have extinguished it. Or, perchance, the sort of panic in which it arose had now lashed itself to rest, and nobody any longer much cared for its fate.

We have given a somewhat full picture of the currents flowing around this bill, and of the Roman Catholic relief measure which preceded and really caused it. Taken together, they interpret for us at their first appearing the new forces amidst which we are to be constantly moving about during the next fifty years of British History.

The fifteenth Parliament of Great Britain was opened on the 31st October 1780, and continued its sessions till 24th March 1784. Earl Ferrers, in the very first session, returned

¹ Hansard's *P. H.* vol. xxi. p. 761.

³ *Ibid.* p. 762.

² *Ibid.* p. 762.

⁴ *Ibid.* p. 766.

to his charge about the increase of Roman Catholics.¹ He submitted three different computations in proof of his contention that there was an 'alarming increase.' In 1717 there were in Chester county, 10,308; in 1767 there were 25,139; and now, by the computation of Parliament itself, there were 27,228. He believed 'that throughout the whole kingdom they had more than doubled in that period. His motives were not a false zeal or an intolerant spirit, or any inclination to oppress or persecute. He proposed to revise the laws; or rather to repeal all the penal statutes now in being against Popery, and pass a general law in their stead, with two special objects in view,—(1) The protection of the people professing the Roman Catholic religion, in the free exercise of the same, and in their Civil liberties and property; (2) Providing such wholesome restrictions as might promise to prevent the further growth of Popery—in one word, less rigour, but more efficiency, introduced into the laws.'²

The Bishop of Chester, Dr. Beilby Porteous, at once 'rose to explain the true source of the increase mentioned. He disputed the estimate of 1717. But even so the increase of his Diocesan population had been immense. As to the Roman Catholic population, and its increase, there had been two surveys of England and Wales. In 1767 they numbered 67,916; in 1780 they were 69,376; but this apparent increase in thirteen years was more than accounted for by the natural growth of the population. In Chester Diocese, that increase had in sixty years been 250,000 souls. He held, in view of all the facts, that the Roman Catholics were a decreasing rather than an increasing quantity.'³ The Earl, overwhelmed rather by 'the opinion of the Bishops,' withdrew his proposals.

That was on the 19th March 1781; but the Bishop of Chester, primed once more with statistics, returned to the fray a week later, and maintained 'that the alarm was in every way unfounded. He had all particulars of the build-

¹ Hansard's *P. H.* vol. xxi. p. 1374.

² *Ibid.* p. 1375.

³ *Ibid.* p. 1376.

ings and inhabitants in his own Diocese. In some places the population had increased sixfold. Also in Lancashire. Liverpool in 1700 had 5000 souls, and in 1770 it had 35,000. In 1719, 'Saltport' (a quarter of Manchester) had only a few hundreds, now it had 11,000 souls. In his Archdeaconry the increase in fifty years had been 40,000. The noble Earl had said that 'the Roman Catholics had increased 2000 between 1767 and 1780; and the increase in the rest of England for the same period was only 1500; which, in view of the increase of population, proved an actual decrease in the number of Roman Catholics!'

The Earl of Ferrers, thus completely drowned a second time amid waves of Episcopal lawn, meekly admitted that 'his fears had been in a great measure groundless,' and confessed that his bill was 'unnecessary for the present.'¹

The rest of the affairs of this fifteenth Parliament, however interesting in themselves, must not detain us here. The Second Session brings into view a name on which one would willingly linger, the younger William Pitt, second son of the great Earl of Chatham, and himself one of the most influential personalities in Parliamentary History since the Revolution Settlement. He was 'hard-faced, proud, and grave, but with an unmistakable air of command.' He took up his father's cue for 'the Reform of Parliament,' and, on 7th May 1782, launched his first proposals on the House.² He saw, with a statesman's vision, that the very instrument of Government must itself be recast before there could be representative Government worthy of the name. But, like many another wise and benevolent proposal in the last quarter of the eighteenth century, this too had to travel long years in the wilderness of political strife before its champions carried the cause to victory.

¹ Hansard's *P. H.* vol. xxi. p. 1379.

² *Ibid.* vol. xxii. p. 1416.

CHAPTER IV

THE END OF THE EIGHTEENTH CENTURY

A.D. 1782—1800.

JOHN RICHARD GREEN says that it was in this epoch, in the midst of which we find ourselves at the opening of a new chapter of our History, that 'Modern England took birth.' Not only were there such movements as those of Chatham and of Pitt to rescue Parliament itself from the ditch into which Walpole and his 'Bribery Office' had shamelessly dragged it, with his cynical motto, 'that every man had his price,' and his unblushing policy of buying seats by the score! There were other tides flowing than those which statesmen either create or control.¹

Since the middle of the century, the God-born Methodist Revival had changed the heart of the great masses of the population. The tears that 'made white channels on the cheeks of the colliers' at Bristol, under Whitefield's divine oratory, were but symbols of the purer streams that were set a-flowing through and through British society, from its highest to its humblest ranks, in the mighty influences unloosed by John and Charles Wesley, through the fresh proclamation of the love of God to sinful men in the once crucified and now glorified Jesus. A new standard of personal duty was lifted up before the eyes of the Christian world. A fresh enthusiasm for human beings, as those for whom the Lord Jesus suffered and died, and whom He sent His followers to seek and to save, quickened the pulses of all

¹ Green's *S. H.* ch. x. sect. i.

Christian men, and stirred the first ripples of that wave that has gone rolling on ever since,—the passion for Humanity as the sons and daughters of our one God and Father, as the brothers and sisters of our one elder brother, Jesus Christ.

With this era, therefore, began to flow what we may call the River of Philanthropy. Raikes of Gloucester opened a class for ragged children, and soon the whole land was covered with Sabbath-schools, for the sowing of the good seed of the kingdom in the fresh and unpolluted soil of childhood. Hannah More, and other like-hearted workers, determined to bring light and comfort into the dreary homes of the agricultural labourers; and the toilers of the soil, to whom under God we owe our daily food, came to be regarded and treated as altogether other beings than the cattle which they drove. John Howard knocked at the prison doors of England, and by-and-bye of all Europe, letting in, through grated cell and filthy dungeon, first the fierce flame of pitiless exposure which revealed hells on earth, and then the gentle and blessed light of Christian love, till the prisoners heard through human lips the voice of Him who says,—‘Inasmuch as ye did it unto one of the least of these, ye did it unto Me.’ Clarkson and Wilberforce began to burn into the heart of Britain the cry of the slave under the lash, till, though years of Holy War lay between, the world was told that wherever the flag of Britain is unfurled, every link in the chain of slavery must snap asunder like the gossamer threads of a summer morn bursting and scattering at the first breath of the breeze and the rising glance of the sun. Edmund Burke began to lift up his eloquent, if ponderous, periods in defence of the down-trodden Hindus; nor halted in the assault on the East India Company, and the Government itself, till, at length by all that issued out of the historical trial of Warren Hastings, it has come to pass that the peasant by the Ganges is as safe and as free under the mighty Ægis of British law as the toiler by the Thames or the Tay.

Out of the same birth-time came another of the divine impulses that have made our modern world, though it stands not in Parliamentary Journals, and we may not dwell on it here. As John Wesley, in his 88th year, was passing through death into his glorious eternity, the new Missionary spirit was working itself into the heart and brain of the true Knights of Christendom. William Carey, fired of God, blew the first bugle notes, went forth summoning others to follow, and claimed India for Christ. That challenge has never, for one day since, fallen silent again; and now while we write, exactly a century later, the world-old walls of Heathendom in China and Africa too are tottering to their fall before the united assault of Christendom revived.

We have not dated these events, nor attempted to describe them. They are simply named here, as necessary to be taken into account by those who would understand the impulses that were playing from many quarters upon the men of that age. The movement towards Roman Catholic Relief was not an isolated issue, though we here are studying it by itself. And, particularly, in order to interpret the attitude of this statesman or the other, some obstinately holding by things as they were, others wildly changing from side to side, it is absolutely essential to keep the outlook open, not only over the Parliamentary field at large, but even on other nations, very specially upon the seething turmoils of France; nay, even on the whole known world;—for, from this time very manifestly, the currents in Britain feel every stroke of the mighty tides that are flowing elsewhere in America and in Europe, lapping the shores of China and breaking in foam around the Capes of Africa.

We find, for instance, in that same year 1782, when William Pitt tried his youthful Parliamentary hand in wielding his father's sword of 'Reform,' and in the very same month of May, that Ireland is again 'on the move.' But this time a real grievance wakens sympathy for a rational

demand. Ireland was as yet an Independent Kingdom; the Crowns were united, but not the Parliaments. It was therefore insulting and intolerable that, by the Act of the 6th of George I. in 1719, an 'Act for the better securing of the Dependency of Ireland upon the Crown of Great Britain,' the judgments in the Irish House of Lords were made appealable to the British House of Peers! If the Irish Parliament were in any constitutional sense independent, then the Irish House of Lords must be for all causes and persons in Ireland the final and supreme Court of Appeal.

Now, as the American troubles thickened, and a threat of invasion came from France, the Government of George III. felt themselves forced to call for volunteers to enroll for national defence. In Ireland, 40,000 Protestants were immediately under arms. And one of the first things they did was to back up the demand of Grattan and Flood for Parliamentary reform. The Irish Parliament refused to pass the Money Bills till the Government of Great Britain cancelled the hated Poyning's Act, and removed all checks on the independence of the Irish Parliament. The case would not stand a hearing. Fox, Burke, every leader denounced the insulting 'dependency.' The Act was repealed *nem. con.*;¹ the Courts of Ireland were declared to be 'exclusive' in all matters of legislation and judicature; and Great Britain abandoned every claim of judicial or legislative supremacy over the Parliament of Ireland.

For the next eighteen years Ireland was, in every sense of the word, an INDEPENDENT NATION. The only tie that bound her to Britain was the golden link of the Crown. But, alas! the Parliament she had was no representative of the Irish people. It was the special preserve of a few aristocratic families and Protestant landowners. They were masters of the House of Peers. They controlled the House of Commons, and were, without apparently seeing or feeling the sting and

¹ Hansard's *P. H.* vol. xxiii. pp. 17-47.

scorn of the nickname, spoken of quite graciously as the 'Parliamentary Undertakers.' Three families alone held sixty seats in their gift,—the families of Downshire, Ponsonby, and Beresford. Other seats, almost without exception, were simply bought and sold as means and avenues of plunder. These Undertakers 'managed' the Irish Parliament at the dictation of the Privy Council of the King, and were paid for their dirty work. The Irish Parliament was expected to say Yes or No to the Acts presented to it by the Privy Council, according to instructions, and was allowed no power to originate or initiate measures of its own.

But the impulse of the Irish Volunteer movement stirred up forces that threatened the ascendancy of these Undertakers. The Volunteers, being largely Presbyterians, found themselves shut out from nearly all Civil, Military, and Municipal Offices, and demanded the removal by Parliament of all such 'disabilities.' Their claim was rejected by the domineering Episcopal faction that trembled lest power and gold should slip from its exclusive grasp. The Volunteers, now threatening an armed revolt, and casting about for sympathy, joined the Roman Catholics in their loudly-rising demand for the relaxation of the Penal Laws, and the removal of their more oppressive disabilities, if not their admission to the Franchise and to equal Civil Rights. Both appeals were alike contemptuously rejected by their own so-called independent Parliament of Ireland, but really by the venal crew that followed the whip of the Undertakers.

By-and-bye, after a great struggle, Pitt carried in 1785 a bill for 'Free Trade with Ireland,'¹ only to see it scornfully thrown out by this same purblind independent Irish Parliament itself.² Then began the broils in France, and the stirring up of rebellion in Ireland, which Pitt strove to counter-check by forcing the landlord-ridden Irish Parliament to pass measures of relief in 1792 and 1793, admitting Roman

¹ Hansard's *P. H.* vol. xxiv. p. 1422. ² *Ibid.* vol. xxv. p. 982.

Catholics to the Elective Franchise and to nearly all Civil and Military Offices in that country.

The results were far from gratifying. Within the next five years Ireland was literally torn to pieces by bloody and fanatical factions,—‘United Irishmen,’ ‘Defenders,’ ‘Peep o’ Day Boys,’ and ‘Orange Societies,’—all equally eager to cut each others’ throats and the throat of the Government. The Yeomanry and the English Troops tortured and scourged the ‘Croppies,’ and were screened by the Irish Parliament. Then came the Irish Rebellion of 1798, when loyal Protestants were lashed and tortured in return, till Vinegar Hill was stormed, and the rising drowned in blood.

Pitt, and many other statesman, disgusted beyond expression at the exploits of Ireland during her eighteen years of independence, and absolutely assured that the country was so maddened by race hatreds and religious passions that it might destroy but could not govern itself, resolved to end the farce of an Independent Irish Parliament. But there was no romance, nor pretence of any, on either side. Pitt wanted rid of a galling political nuisance. The men in his path, the boroughmongers of Ireland, had all ‘their price.’¹ By pensions, by Peerages, and by a million of gold, their votes were openly and systematically bid for and bought. It was a base transaction,—unapologized for by Pitt’s declaration that no other available means could have carried the Union,—and history must tell us whether, in this case also, that which was *morally wrong* has not proved itself to be *politically unsuccessful*.

We must, however, retrace our steps; though it seemed necessary here to depict the forces that were at work in Ireland before trying further to interpret the Roman Catholic Campaign in the British Parliament. It would load our pages unduly, and add bulk to this history which may be spared, to travel further in that field, else the Penal Laws

¹ Green’s *S. H.* ch. x. sect. iv. p. 791.

would claim a chapter by themselves. After careful deliberation we have resolved to await the coming debates, which are full of every necessary information regarding these laws, and regarding all Parliamentary relaxations of the same. Our perfect understanding of them, and of all issues raised by their infliction and by their repeal, will thus come to us amid the living controversies of a later day, when every argument on either side will be presented to our minds by the greatest statesmen on the floor of Parliament itself. And, meantime, the stream of our present history will be permitted to flow on unbroken in its own chosen channel.

In this Third Session of the fifteenth Parliament 1783, and once more in the month of May, we see the youthful William Pitt trying his hand again at 'Parliamentary Reform.'¹ But, whereas the former time he had only a majority of twenty against him in a House of more than three hundred, this time the majority has risen to one hundred and forty-four. He lost his motion, but he made his fame. The House, with one voice, voted this stripling of twenty-four as already their leader, and a prince among men. He had a year ago been Chancellor of the Exchequer, when only twenty-three; and now, upon a change of Ministry,² in December, he became Prime Minister in his twenty-fourth year.

But, whatever the King or the Nation might say, this Parliament had the unique distinction of beating him and his Ministry sixteen times within less than three months.³ The King refused to dismiss his Cabinet, and determined to dissolve the Parliament, and appeal to the country. The result was astounding, even phenomenal.⁴ The Coalition lost one hundred and sixty seats. Pitt, returned by Cambridge University, found himself at the age of twenty-five, the most powerful Minister which these islands had produced since the Great Revolution; and for seventeen

¹ Hansard's *P. H.* vol. xxiii. pp. 826-875.

² *Ibid.* vol. xxiv. p. 227.

³ *Ibid.* pp. 595-620.

⁴ *Ibid.* p. 775.

years, with unbroken power, he held an almost unparalleled position of influence as the darling and favourite at once of the King, the Cabinet, and the Parliament !¹

The Sixteenth Parliament of Great Britain began its sittings on 18th May 1784. Through session after session, the affairs of India and the name of Warren Hastings fill the Parliamentary mind side by side with such abiding themes as the Prince of Wales' 'debts,' 'Irish commerce,' the 'Poor-laws,' and the 'National Debt.'

In the autumn of 1788, we stumble upon the great debate about the first appointment of a Regency—the faintest hint of the King's approaching 'illness,' which is Parliamentary for the announcement that George III. has gone insane. That attack, however, was temporary ; and, on the 19th February 1789, the country learns with joy of the 'King's recovery.' Alas, that, in its turn, was only temporary too, and one may say altogether partial at any time, for George the Bigot was, comparatively speaking, never anything else but insane.²

On the 8th May of that same year another attempt was made for the 'Repeal of the Test and Corporation Acts.'³ We may glance at the interesting debate, but we must not linger.

Mr. Beaufoy contended 'that these Acts, in their Sacramental Clauses, were directed against Roman Catholics, not against Protestant Dissenters, who practically did not then exist. . . . If the exclusion of Roman Catholics from office were still thought expedient for the State, that exclusion ought to be effectually obtained by the same Oath of Supremacy and by the same Declaration against the leading article of their faith, which debarred them from a seat in either House of Parliament.'⁴ He moved 'to consider such portions of the specified Acts of Charles II. as required persons before they

¹ v. *Chambers's Encyclopædia* on William Pitt.

² Hansard's *P. H.* vol. xxvii. p. 1293.

³ *Ibid.* vol. xxviii. p. 3.

⁴ *Ibid.* p. 4.

are admitted into any office or place in Corporations, or having accepted any office, Civil or Military, or any place of trust under the Crown, to receive the Sacrament of the Lord's Supper according to the rites of the Church of England.'¹

Lord North laid down two principles: '(1) That it was essential to the happiness of the country that the Legislature should support the constitution of the Church of England; (2) That it was necessary for the support of the constitution of the Church of England that no person should possess power under the Church who should refuse to give the test of his being not ill-affected towards it.' He maintained 'that this was the best place at which to make their stand. . . . If they removed one stone of the bulwark, and made the first breach, no one could say how soon the whole would tumble to pieces.'²

Fox protested that only 'the actions of men, *and not their opinions*, were the proper objects of Legislation. . . . The Roman Catholics, or rather the Papists (a distinction which he trusted would ever be maintained by English Roman Catholics in time to come), were supposed by our ancestors to entertain opinions which might lead to mischief against the State. But was it their religious opinion that was feared? Quite the contrary. Their acknowledging a Foreign authority paramount to that of the Legislature—their acknowledging a title to the Crown superior to that conferred by the voice of the people—their Political Opinions, which they were supposed to attach to their Religious Creed, were dreaded, and justly dreaded, as inimical to the Constitution. . . . But, even upon that ground, he was justified in declaring that the Legislature ought not to have acted against them, until, by carrying into practice some of the dangerous doctrines which they were taught to entertain, they had rendered themselves obnoxious to its penalties, which, in the case of such perpetration, it had

¹ Hansard's *P. H.* vol. xxviii. p. 16.

² *Ibid.* p. 22.

threatened to inflict. . . . Disability and punishment ought to follow, not to anticipate offence.'¹

Pitt very cautiously rejoined, 'that the religious opinions of any set of men were not to be restrained and limited, unless they should be found likely to prove a source of Civil inconvenience to the State; but the Government had the right to guard against the probability of a Civil inconvenience being produced. . . . With regard to Papists (to use the Right Honourable Gentleman's own words) the doctrine of unlimited toleration could not surely be right.'²

The motion was rejected by a vote of 122 against 102.³

But, ten days later, we find the Lords engrossed with a discussion, on a cognate theme, that brought many of the same principles again into view. On 18th May 1789 the Earl of Stanhope introduced a bill, whose proposed aim was 'to relieve Members of the Church of England from sundry Penalties and Disabilities, to which by the laws now in force they are liable; and for extending freedom in matters of religion to all persons, Papists only excepted.'⁴ It contained eight provisoes, and the first was in these words: '(1) That nothing in this Act shall extend to Papists, . . . whose abominable, execrable, and dangerous principles made them unsafe citizens of the State.'⁵ Referring to Lord Rawdon's 'petition from "Catholic Dissenters," who themselves utterly disclaimed, reprobated, and protested against the principles of Popery,' he said 'that it appeared to him just that the law should some day draw a line of discrimination between the persecuting Papist, and those who publicly and unequivocally disclaim these abominable and detestable principles.'⁶ This bill, however, was thrown out by the Bishops, particularly by a great onslaught from Dr. Samuel Horsley of St. Davids.⁷

One wonders if there could be any prevailing genuine

¹ Hansard's *P. H.* vol. xxviii. pp. 29-38.

² *Ibid.* p. 38.

³ *Ibid.* p. 41.

⁴ *Ibid.* p. 102.

⁵ *Ibid.* p. 113.

⁶ *Ibid.* p. 114.

⁷ *Ibid.* pp. 120, 133.

desire amongst these Roman Catholic Dissenters to dis sever themselves from the excrescences of the 'Papistical' incubus, if this was a kind of 'Old Catholic movement' of an earlier day nipped in the bud. Horsley and his fellow-Bishops might have done great service to Christendom, could they have 'seized occasion' by the skirt as she flew past, and encouraged these petitioners, who had learned at least the language of freedom, to struggle up into true liberty, and to found what all the ages have longed to see—a *National Catholic Church which yet renounced the Papacy*. He might retort that his own Church was exactly such; but it is manifest that these 'Dissenters,' who renounced the principles of Popery, did not recognise in her what they sought, and that their religion demanded another mould into which to flow. History seems to proclaim that the type of Church suited for Catholics who renounce Popery, but cannot accept Protestantism, has never yet been discovered.

The currents that were now flowing in different sections of the public mind were well illustrated by a little incident in the Parliamentary life of this same summer, 1789. A bill was brought up by the Commons to the Lords, on 23rd July, 'to commemorate the Revolution.' The Bishop of Bangor flatly declared it 'altogether unnecessary. . . . They had already the 5th of November Sermons every year in memory of the Gunpowder Plot.¹ . . . In both cases alike the deliverance was from Popery and Arbitrary Power.' The good Bishop seemed to think that commemorations might be overdone. The Earl of Stanhope 'was astonished' at him, and, when the House unceremoniously rejected the bill 'on the first reading,' a thing almost disrespectful in Parliamentary custom, he lifted up his hands and denounced the proceeding as a 'great indignity.'²

Yet, again, the same lesson is even more strikingly illustrated by the vote on another motion for 'the repeal of the

¹ Hansard's *P. H.* vol. xxviii. p. 295.

² *Ibid.* p. 296.

Test and Corporation Acts.' It was submitted by Fox, on 2nd March 1790, who argued 'that toleration, before the reign of King William, had not a footing in England.¹ . . . His own celebrated Toleration Act was narrow and incomplete. . . . What was it but a toleration founded on thirty-four articles out of the Thirty-Nine as a standard of belief in matters of religion?² . . . Every political and religious test was extremely absurd, and the only test, in his opinion, to be adopted, ought to be a man's actions.'³

The measure was firmly opposed by Pitt. He was clearly convinced that we ought not to relinquish these great and fundamental principles upon which the prosperity of the State so much depended.⁴ . . . Toleration by no means implied equality. . . . A certain permanent Church Establishment was an indispensable necessity for the good of the State.'⁵

And Burke, with the scare of the French Revolution already clouding his brain, exclaimed, 'Ten years ago I would have voted for the repeal, but not now!'⁶ The House negatived the proposal by an overwhelming vote of 294 against 105.

The effort to distinguish betwixt 'Catholic' Dissenters and 'Papists' took the form of a Parliamentary Bill in 1791.⁷ It was entitled 'The Catholic Dissenters' Relief Bill.' Mr. Mitford, who introduced it on 21st February, described it as 'similar to that which had passed in Ireland for the relief of the Roman Catholics there some years since, and from which no ill consequences had resulted.'⁸ Its aim was 'to relieve, upon conditions and under restrictions, persons called Protestant Catholic Dissenters from certain penalties or disabilities to which Papists, or persons professing the Popish religion, are by law subject.'⁹ Mr. Windham airily remarked 'that the power of the Pope at this day was a mere spectre, fit to frighten in the dark, but which vanished before the

¹ Hansard's *P. H.* vol. xxviii. p. 387.

⁴ *Ibid.* p. 405.

⁷ *Ibid.* p. 1262.

² *Ibid.* p. 389.

⁵ *Ibid.* p. 406.

⁸ *Ibid.* p. 1263.

³ *Ibid.* p. 391.

⁶ *Ibid.* p. 441.

⁹ *Ibid.* p. 1264.

light of reason and of knowledge; and therefore it was in the last degree absurd to talk of dreading danger from Popery under present circumstances.¹ Fox moved for leaving out the word 'Protesting,' and wanted 'Universal Toleration, whether men were protesting or not.'² The measure was concurred in by Pitt, and sent to a Committee of the whole House.³

When the Debate opened again, on the 1st March, Mr. Mitford contended 'that those for whom he spoke were as loyal subjects as any in the kingdom. . . . He asked for no repeal of statutes, but merely for the exemption from their operation in favour of a few. . . . For the most perfect assurance to the public . . . that toleration alone was desired, he did not propose to admit those persons to situations of trust or places under Government, but only to have them considered as men of honour and loyalty and good Christians. . . . They were PROTESTING CATHOLIC DISSENTERS AND REMONSTRANTS, that is, protesters against the power of the Pope to absolve from the Oath of Allegiance.'⁴

Fox wished to enlarge the scope of the bill by adding 'and others' to the title 'Catholic Dissenters.'⁵ He held that these laws were never caused by the dangerous opinions that Roman Catholics held and entertained, . . . but by the fear of the power of the Pope, from the days of Elizabeth till the Revolution. . . . But we were not now afraid of the Pope, nor of a Popish King, nor of a Popish Pretender.⁶ . . . In 1778 some of these severe laws had been repealed. How had the Roman Catholics behaved since? With the most perfect loyalty. . . . In Ireland, all these Acts against Roman Catholics were repealed, and no danger had arisen. . . . Roman Catholics had given the most substantial proofs of their loyalty and of their attachment to the Government.'⁷

Burke held and argued that 'the 27th of Queen Elizabeth

¹ Hansard's *P. H.* vol. xxviii. p. 1266. ² *Ibid.* p. 1268. ³ *Ibid.* p. 1364.

⁴ *Ibid.* p. 1365. ⁵ *Ibid.* p. 1365. ⁶ *Ibid.* p. 1367. ⁷ *Ibid.* p. 1368.

was for the suppression of a faction dangerous to the State, and, were the preamble found good and the plea true, he would have voted for that bill, as the first and dearest object of every State must be self-preservation.¹ . . . But now the Pope, politically speaking, was as dead as the Pretender, as dead as the old Roman Pontiff, or Pope, Julius Cæsar.²

When the bill was in Committee, Fox pleaded for the alteration of the name. 'Papist was an invidious name, and by no means applicable, in its strict sense, to English Roman Catholics.'³ In spite of his protestations, however, a special clause was agreed to, denying 'the infallibility of the Pope and the absolution of the Priests.'⁴

On the 31st May, the Lords are busy debating this same Relief Bill, and Lord Rawdon affirms,—'From every degree of acquaintance with Roman Catholics, and it has been extensive, that subjects more loyal, obedient to the laws, and zealous in their attachment to the Constitution, were not to be found. . . . He was free to confess that there might have been periods when these laws were necessary. . . . But, as they originated in exigency, with the exigency they ought to cease.'⁵

The Archbishop of Canterbury, referring to the Oath, pointed out 'that whoever was admitted to be infallible in points of doctrine was clearly admitted to be infallible in declaring what was doctrine; so that the restriction which was intended as to the influence of the Pope in temporal matters might be overcome, if he himself chose to declare that such matters were not temporal but spiritual.'⁶

Dr. Horsley of St. Davids said,—'With great charity for the Roman Catholics, with a perfect abhorrence of the Penal Laws, I have my doubts whether this bill comes in a shape fit to be sent to the Committee. . . . Fixed as I am in the

¹ Hansard's *P. H.* vol. xxviii. p. 1370.

² *Ibid.* p. 1371.

³ *Ibid.* vol. xxix. p. 114.

⁴ *Ibid.* p. 119.

⁵ *Ibid.* p. 665.

⁶ *Ibid.* p. 667.

persuasion that religion is the only solid foundation of civil society, and by consequence that an Establishment of Religion is an essential branch of every well-constructed polity,—I am equally fixed in another principle, that it is a duty, which the great law of Christian charity impresses upon the Christian Magistrate, to tolerate Christians of every denomination separated by conscientious scruples from the Established Church,¹ . . . with the exception of such Sects only, if any such there be, which hold principles so subversive of Civil Government in general, or so hostile to the particular Constitution under which they live, as to render the extermination of such Sects an object of just policy. . . . I have no scruple to say that the opinions which separate Roman Catholics of the present day from the Communion of the Church of England are not of that dangerous complexion.²

As to the Oath of Allegiance, the Abjuration, and the Declaration, Dr. Horsley proceeded,—‘It is my point to state the objections of scrupulous Roman Catholics, not Papists, Pope’s courtiers, in the opprobrious sense of that term.³ . . . The more scrupulous Roman Catholics, who object to the terms of these oaths, are ready to swear allegiance to the King, ready to abjure the Pretender, and to renounce the Pope’s authority in civil and temporal matters; ready to renounce the doctrines that faith is not to be kept with heretics, and that persons may be murdered, under the pretence that they are heretics, as impious and unchristian; ready to renounce as impious and unchristian the doctrine that Princes excommunicated by the See of Rome may be deposed or murdered by their subjects, but, to the deposing doctrine, they scruple to apply the epithets of ‘impious, unchristian, and damnable;’⁴ which seems to amount to saying that the Pope had the right to ‘depose,’ but that no subjects might murder their Princes! He further affirmed

¹ Hansard’s *P. H.* vol. xxix. p. 668.

³ *Ibid.* p. 671.

² *Ibid.* p. 669.

⁴ *Ibid.* p. 671.

that scrupulous Roman Catholics objected to 'the terms in which the Pope's civil authority is renounced as actually amounting to a denial of the Pope's spiritual authority, which they cannot conscientiously abjure.'¹ . . . Three of the four Roman Catholic Bishops, the Vicars-Apostolic in England, reprobate the Oath as it stands in the bill; and they advance the principle that a conscientious Catholic ought not to take any Oath, declaratory of any opinion upon doctrinal points, till it has received the approbation of Ecclesiastical Superiors.'²

Accordingly, in Committee, on the 3rd June, the proposed oaths were expunged, and the Oath of 1778, the same as that taken in Ireland since 1774, was inserted in the bill.³

This bill drops out of view, however, and next year a measure was submitted to the House of Commons, in which Fox endeavoured, as before, to strike the shaft deeper yet into the soil of liberty. It was for the 'Repeal of certain Penal Statutes respecting Religious Opinions;' and he 'based the pure principles of toleration on the fundamental and inalienable rights of man.'⁴ Once more he contended 'that no man ought to be deprived of his liberty with respect to his opinions, unless his actions derived from such opinions were clearly prejudicial to the State.'⁵ He set forth three possible relations towards Religion: '(1) Total indifference to it, as in the Pagan world before Christianity; (2) The state of Popery, when deluded persons, in a time of bigotry, thought that, by persecuting those who differed from them, they were serving God; and (3) The state in which we now were, neither indifferent nor blindly attached to one particular faith; neither Pagan nor Popish bigots. . . . For us there was no excuse nor palliation for persecution. But toleration meant the total absence of persecution, and to refuse to any man any civil right, or the equal participation of civil

¹ Hansard's *P. H.* vol. xxix. p. 673.

³ *Ibid.* p. 678.

⁴ *Ibid.* p. 1372.

² *Ibid.* p. 677.

⁵ *Ibid.* p. 1373.

advantage, on account of his religious opinions, was in itself persecution.’¹

Fox closed by explaining ‘that the persons for whom he now interceded were Unitarians. In speaking of them, Dr. South had traced their pedigree from wretch to wretch back to the Devil himself. These descendants of the Devil were his clients!’² He moved, accordingly, ‘for leave to bring in a bill to repeal and alter sundry provisions of the said Acts, ninth and tenth of William III., for the more effectual suppressing of blasphemy and profaneness, etc., etc.’³

Burke immediately struck into the fray, and solemnly argued ‘that this was no longer a theological question, but a question of legislative prudence, or a point of policy.’⁴ . . . If claimed at all, let it be claimed as a matter of justice, and not called for as the effect of any of the new and false lights of the day which had lately made their appearance, and were soon again to disappear. . . . Stripping the question of its theological vestment, and taking it as a question of prudence and policy, he did not see that sufficient reasons had been urged for the repeal of these statutes. . . . What were the RIGHTS OF MAN previous to entering into a state of society? Whether paramount or inferior to social rights, he neither knew nor cared. Man he found in society, and that man he looked at—he knew nothing of any other man, nor could we agree on any of his rights. . . . Of toleration and of persecution the House had never yet given an abstract opinion. It had always acted from circumstances and the pressure of events. When it relieved the Quakers, it looked only to the Quakers. When it alleviated the condition of the Catholics, it looked only to the Catholics. It never purged to the right hand, and bled to the left hand, all at once!’

Proceeding on this basis, Burke continued,—‘Look at the case of the Unitarians simply as before the House. . . . The

¹ Hansard’s *P. H.* vol. xxix. p. 1375.

³ *Ibid.* p. 1381.

² *Ibid.* p. 1378.

⁴ *Ibid.* pp. 1382-1391.

petition was against the general principles of the Christian Religion as connected with the State. It dismembered the Christian Commonwealth. By the Christian Commonwealth there was established no alliance, as often erroneously stated, between Church and State. Church and State were one and the same.' He then quoted 'the toasts of the Unitarians at one of their meetings, the articles of their faith, fourteen in number, their celebration of the 14th July, and the libels of Thomas Paine, which were the causes of the riots at Birmingham, and he maintained, 'that they proceeded from political and not from religious prejudices, . . . that they approved of the abominable proceedings of Paris on that day, and recommended them for the imitation of England. . . . As for toleration, Dr. Priestley had preached and written his Unitarian system for eight-and-twenty years without molestation, till he and his followers came forward to celebrate and approve the principles of the 14th July, . . . thereby taking up a political and revolutionary position.'¹

Pitt also opposed the motion. He saw 'no propriety in that House giving encouragement to a Society whose own declarations avowed their principles to be subversive of every Established Church and every Established Government, and who meditated a deliberate attack on the Parliament of the country.'²

The majority was very decided against the motion, and the bill was accordingly lost.³

Within less than twelve months we find Parliament discussing what was called the Scotch Roman Catholic Relief Bill. It was introduced, on 23rd April 1793, by another Lord Advocate Dundas, Robert, the nephew of Henry, whom we have already met; and it took the form of a 'motion for leave to bring in a bill granting relief in certain cases to such of his Majesty's subjects in Scotland as profess the Roman

¹ Hansard's *P. H.* vol. xxix. p. 1394-95.

² *Ibid.* p. 1400.

³ *Ibid.* p. 1404.

Catholic Religion.’¹ He said ‘that Roman Catholics in Scotland had many hardships and disabilities on account of adherence to their religion. . . . By one law, the Oath called the Formula or Solemn Declaration was imposed on them, which they could not take without renouncing the religion they professed ; and, if they refused to take it, their nearest Protestant relation might deprive them of their estates. . . . That particular law was too odious to be often carried into execution ; but, if it was not fit that it should be executed at all, it ought not to be suffered to remain merely as a temptation to the profligate to strip honest and meritorious people of their property. . . . There was a suit actually depending in the Courts of Law in Scotland, founded upon this very statute, in which, unless the Legislature interfered, a Roman Catholic gentleman would be deprived of an estate of £1000 a year, which had been in his family for a century and a half.’

This was an outcome of the Penal Laws which no one now defended, however once politically necessary, and so the motion passed *nem. con.* Relief was thus far provided ‘for his Majesty’s Roman Catholic subjects in that part of Great Britain called Scotland.’²

Events now crowd upon us towards the close of this epoch of our history. In May 1795, Parliament is aflame over the recall of Earl Fitzwilliam.

The Duke of Norfolk moved ‘for the production of the correspondence.’ The Earl’s fame, he declared, ‘had been severely wounded, . . . and the tranquillity of the sister kingdom and of this kingdom were at stake.’³ As one result of the agitation produced by Burke’s ‘reflections’ on the French Revolution, and by the war with France, ‘many of the Whigs had gone over to the support of the Government, and a change of system was agreed on in regard to Ireland.

¹ Hansard’s *P. H.* vol. xxx. p. 766.

² *Ibid.* p. 767.

³ *Ibid.* vol. xxxi. p. 1496.



. . . It was clearly understood that all restrictions on the Catholics that were not absolutely necessary for the safety of the State should be done away. . . . The Popery Laws arose from fear of Popish pretensions, which now had no existence, or at least were no longer dangerous.¹ . . . When the noble Earl arrived in Ireland, Mr. Grattan, no doubt from well-understood instructions, stood forward and stated that the Catholics were to be relieved.² . . . The Irish Parliament heard the tidings with joy, and so did the public. They consented to a most lavish taxation without a murmur. . . . The Catholics, brought to this pitch of expectancy, found on a sudden the Lord Lieutenant recalled, and all their hopes vanish. The cup was dashed from their lips, and the whole country thrown into confusion.'³

The Earl of Coventry objected 'that this matter rested entirely on the prerogative of the Crown, and was not a subject for Parliamentary inquiry any more than any other Cabinet secret.'⁴ Earl Fitzwilliam complained 'that he stood charged not by words, but by facts, and called upon their Lordships to protect his honour and reputation—all that he asked was that the cause of his removal be laid before them.'⁵ The Earl of Guildford held that 'they were bound to go into this inquiry. Ireland had been plunged into discontent and distrust, if not alienation and despair. Was it not fitting that the House should inquire who were the authors of this calamity?'⁶

Earl of Westmoreland, formerly Lord Lieutenant, attacked Fitzwilliam's Administration, in the sudden dismissal of Mr. Beresford 'for imputed malversation.'⁷ He 'arrived on a Sunday, and he had so completed his investigations that he dismissed him on the Wednesday following!' As to Emancipation,—'the Catholics had already received concessions for which they were grateful; and, unless they had been

¹ Hansard's *P. H.* vol. xxxi. p. 1499.

² *Ibid.* p. 1500.

³ *Ibid.* p. 1501.

⁴ *Ibid.* p. 1502.

⁵ *Ibid.* p. 1502.

⁶ *Ibid.* p. 1505.

⁷ *Ibid.* p. 1510.

urged on by others, they would not have attempted to disturb the public tranquillity.¹

Earl Fitzwilliam, in reply and in self-defence, declared 'that he was now convinced of the fact that the Catholic Question was not the genuine cause of his recall. . . . For connecting myself with Grattan was I dismissed, who taught all Ireland to see and feel that their best interest would always be to stand or fall by Great Britain.² . . . I went out expressly authorised to complete the measure of 1793. That measure originated in England ; and, when the Coalition took place in July last, every Catholic in Ireland naturally looked for the completion of the system by the men who had begun it, which would accomplish what they called their Emancipation. . . . It was felt that there could be no danger to the State from their political doctrines. In fact, the religious tests of former days were only required as evidences of political creeds ; and now that the occasions that gave them birth were past, they ought to disappear.'³

The Lords, however, refused the motion by a substantial majority of 75 ; and in the 'Protest against the Recall,' which they entered in the Journals, Ponsonby and Fitzwilliam discussed the whole situation under fifteen heads. They declared their policy, with regard to Ireland, to be 'the removal of all civil restrictions made in consequence of religious differences,'⁴ and they based it upon Parliamentary Declarations as to 'the allegiance and fidelity of Roman Catholics.'⁵ They quoted (1) the Preamble to the Act of 17th and 18th George III. c. 40: 'Whereas, from their uniform behaviour for a long series of years, it appears reasonable and expedient to relax the same (penalties and incapacities of Roman Catholics), and it must tend not only to the cultivation and improvement of this kingdom, but to the prosperity and strength of all his Majesty's dominions, that his subjects of

¹ Hansard's *P. H.* vol. xxxi. p. 1511.

² *Ibid.* p. 1515.

³ *Ibid.* p. 1516.

⁴ *Ibid.* p. 1525.

⁵ *Ibid.* p. 1526.

all denominations should enjoy the benefits of our free Constitution, and should be bound to each other by mutual interest and mutual affection.’¹ Then (2) the Act of 21st and 22d George III. c. 24, declaring ‘that Roman Catholics, on taking the test aforesaid, ought to be considered as good and loyal subjects to his Majesty, his Crown, and Government; and that the continuance of laws formerly enacted, and then in force, against persons of the Popish Religion, is therefore unnecessary, in respect to those who have taken, or shall take, the said Oath, and is injurious to the real welfare and prosperity of the kingdom of Ireland.’ They pointed out, further, ‘that the first year of relaxation virtually began in 1773; and that it was, therefore, twenty years before the passing of the large Capacitating Act of 1793; and that, during all that prolonged period, their allegiance was thus recognised, and their reciprocal right to protection upon taking these appointed Oaths.’²

To this protest Fitzwilliam added a personal postscript,—‘that he stands for the justice and the policy of removing the few feeble, miserable, inefficacious, but invidious restrictions that remain on the Catholics of Ireland,—as wholly useless for any good purpose, but powerful in causing discontent, both with regard to Government and Parliament,—as furnishing handles of oppression to the malevolent,—and as supplying pretexts for disorder to the turbulent and seditious.’³

In the House of Commons, a few days later, Mr. Jekyll was more successful. He moved for the ‘Correspondence’ too, and carried it in the affirmative by 188 to 43. He said that, of four millions in Ireland, three and a half millions were Roman Catholics,’ and he brusquely wondered ‘what dangers would arise to the Protestants of Ireland from the participation of privileges with their Catholic brethren?’⁴

Fox declared ‘that the noble Earl Fitzwilliam was the

¹ Hansard’s *P. H.* vol. xxxi. p. 1526.

³ *Ibid.* p. 1529.

² *Ibid.* p. 1526.

⁴ *Ibid.* p. 1535.

only person who had the good fortune to obtain the applause of all the Catholics and all the Dissenters of Ireland; the only person who, since the Accession of the House of Brunswick, had been able to unite all parties in that kingdom.’¹

Pitt warned them against ‘a step at once indelicate and dangerous, to open up the secret transactions of Government.’² . . . He admitted that no Prerogative could absolutely bar the inquisitorial function of the House; but a special case must be made out, of positive danger, or public misconduct and delinquency.³ . . . As to the Catholic Question, suppose their examination came on while the same question was pending in the Parliament of Ireland; if the decision was the same, still it was a wound to that independent Parliament; if the decision were different, that would be an impeachment of the independence of the Parliament of Ireland. . . . What would be the situation of Ministers,—to advise his Majesty to reject as King of England, that which, as King of Ireland, he might feel himself engaged to assent to? Did those who wished the House to adopt this mode really mean to promote a harmonious connection between that country and this?’⁴

For the next three years ‘the state of Ireland’ was the stock subject of burning debates in every session of Parliament, until in 1798 the REBELLION openly broke out there, provoked by many cruel oppressions on the one side, and rendering back many fiendish retaliations on the other.⁵

The echo of these events makes itself heard still in a ‘motion for a Change of System in Ireland,’ which we meet on the Journals of the House of Commons for that year. It was proposed by Lord George Cavendish, on June 22nd, and the ground was felt to be so delicate, ‘that all strangers were

¹ Hansard’s *P. H.* vol. xxxi. p. 1542.

³ *Ibid.* p. 1551.

⁵ *Ibid.* vols. xxxii. and xxxiii.

² *Ibid.* p. 1550.

⁴ *Ibid.* p. 1554.

first excluded.’¹ In a series of resolutions the third ran thus : (3) ‘That it is the opinion of this House that we should be at all times ready, by all just means, to maintain the unity of the British Empire, and our connection with Ireland as an integral part of that Empire ; yet we never can believe that it is his Majesty’s wish to support or countenance the principle of permanently governing that country as a conquered or hostile country—a principle no less hostile to the fundamental maxims of universal justice than to the mutual interests of the two kingdoms ;’²—and the fourth declared : (4) ‘That, in the opinion of this House, it is the duty of his Majesty’s Ministers to advise his Majesty that he would be graciously pleased to repeat the recommendation he made through the Lord Lieutenant of Ireland to the Legislature of that kingdom, in 1793, “ Seriously to consider the situation of the Irish Catholics, and to consider it with liberality, for the purpose of strengthening and cementing a genuine sentiment among all the classes and descriptions of his Majesty’s subjects in support of the Established Constitution.” ’³

But these proposals were, under the heat of passions kindled by the Irish Revolt, rejected by the startling majority of 212 against 66.

Lord Bessborough also tried his hand in the Upper House, on June 27th, to move them to pledge themselves in favour of ‘a System of Conciliation’ so soon as the present Rebellion had been ‘suppressed.’⁴ But that seemed to be outrunning even the proverb about catching time by the forelock ; for what if the Rebellion refused to be suppressed ? that, too, would necessitate ‘a change of system.’

No better fate awaited the double-barreled motion, fired off by Fox in the Commons, and by the Duke of Bedford in the Lords, and founded upon rumours of atrocities across the Channel. It declared ‘that a system of Coercion had

¹ Hansard’s *P. H.* vol. xxxiii. p. 1513.

³ *Ibid.* p. 1515.

² *Ibid.* p. 1515.

⁴ *Ibid.* p. 1517.

been enforced in Ireland with a rigour shocking to humanity, and particularly that scourges and other tortures have been employed for the purpose of extorting confessions—a practice justly abhorred in every other part of the civilised world ;' and it proposed a finding,—'That this House is of opinion that an immediate stop should be put to practices so disgraceful to the British name.'¹ The fire, however, must first be put out before we talk of rearranging the rooms in a burning house ; besides, another and a more radical remedy, as was hoped, for all these ills, was now seething itself into shape in the brain of Pitt,—*the one Empire must have one Parliament* ; a body with two heads is a monster ; Great Britain and Ireland must unite.

Accordingly, on 22nd January 1799, the King's message is delivered to both Houses relating to 'the Union' with Ireland.' He dilates upon 'the unremitting industry with which our enemies persevere in their avowed design of effecting the separation of Ireland from this kingdom ;' and calls upon his Parliament to consider the most effectual means of counteracting and finally defeating this design.'² Next day, in the Commons, the address in reply was moved by Mr. Secretary Dundas, 'assuring his Majesty that we are at all times anxious to avail ourselves of every opportunity to improve and perpetuate the connection between Great Britain and Ireland.'³

But Mr. Sheridan will not allow the subject to be touched in this gingerly fashion. He 'demands the reasons for this new, solemn, entire, and final adjustment,' in addition to that so recently ratified and concluded,' namely, in 1782. He quotes the 'declaration' of the Irish Parliament sanctioned by this House,—'That his Majesty's subjects of Ireland are entitled to a free Constitution ; that the Imperial Crown of Ireland is inseparably annexed to the Crown of Great

¹ Hansard's *P. H.* vol. xxxiii. p. 1518.

² *Ibid.* vol. xxxiv. p. 208.

³ *Ibid.* p. 209.

Britain, on which connection the happiness of both nations essentially depends; but that the kingdom of Ireland is a distinct dominion, having a Parliament of her own, the sole Legislature thereof; that there is no power whatsoever competent to make laws to bind this nation, except the King, the Lords, and Commons of Ireland; upon which exclusive right of Legislation we consider the very essence of our liberties to depend—a right which we claim as the birth-right of the people of Ireland, and which we are determined, in every situation of life, to assert and maintain.’¹ Mr. Sheridan held ‘that a Union effected by fraud, by intrigue, by corruption, by intimidation, would ultimately tend to endanger the connection between the two countries; that Separation, on the other hand, would be ruin to both countries, ruin more or less rapid; but that the connection of Ireland with France is the worst alternative that can be supposed, and pregnant with immediate destruction.’² And he closed a stirring appeal against all forcing of matters, and in favour of friendly dealings, with the suggestive cry: ‘Forbear the brutal rape, when you may obtain a willing partner!’³

Canning interjected, on the other hand, that it was notorious the late Rebellion and machination had for its object the complete destruction of all connection between the Sister Kingdom and Great Britain.⁴ . . . It was perfectly conspicuous that it was not for Catholic Emancipation, not for Parliamentary Reform, but for the total subversion of all Government, and for a complete separation of the two countries.’⁵ He denounced ‘these deep and damnable plots,’ and declared, ‘It is to put an end to these hopes of our enemies, it is to put Ireland out of danger both from foreign attack and from domestic disturbance and distraction,—it is, in every point of view, to ameliorate her condition that this

¹ Hansard’s *P. H.* vol. xxxiv. p. 210.

³ *Ibid.* p. 217.

⁴ *Ibid.* p. 226.

² *Ibid.* p. 213.

⁵ *Ibid.* p. 227.

measure is proposed.¹ He admits 'that Sir John Parnell, Chancellor of the Exchequer there, entertained an opinion hostile to this measure,—undoubtedly a man of great worth and abilities,—and that he ceased to be Chancellor. . . . "Most alarming, most horrible!" says my friend.² But remember that our opponents when in office, and making their boasted "final adjustment" of 1782, overlooked three quarters of the inhabitants of Ireland. . . . In their plans the word "Catholic" never once occurred. And now their cry for Catholic Emancipation and Parliamentary Reform are the weapons by which everything we propose is to be beaten down.'³

Pitt himself then stepped forward, and thus summed up the issues: 'But if the state of society be such that laws, however wise in themselves, will be ineffectual as to their object, until the manners and customs of the people are altered—if men are in a state of poverty, in which it is impossible that they can have any comfort—if the progress of civilisation depends, in a great measure, on the distribution of wealth—if the improvement of that wealth depends much on the distribution of capital⁴—if all the advantages to be derived from the increase of National Wealth depend much upon the temper of the inhabitants—if these advantages, together with the still greater advantage of material improvement, are all retarded by the distractions and divisions of party, by the blind zeal and frenzy of religious prejudices, by old and furious family feuds—if all these, I say, combine to make the country wretched, what is the remedy? AN IMPARTIAL LEGISLATURE, standing aloof from local party connection, sufficiently removed from the influence of contending factions to be the advocate or champion of neither—being so placed as to have no superstitious reverence for the names and prejudices of ancient families, who have so long

¹ Hansard's *P. H.* vol. xxxiv. p. 237.

² *Ibid.* p. 240.

³ *Ibid.* p. 238.

⁴ *Ibid.* p. 247.

enjoyed the exclusive monopolies of certain public patronages and property which custom has sanctioned and which modern necessity may justify—a Legislature, who will neither give way to the haughty pretensions of the few, nor open the door to popular inroads, to clamour, or to invasion of all sacred forms and regularities, under the false and imposing colours of philosophical improvement in the art of Government. This is the thing that is wanted for Ireland!’¹

Proceeding to the History of the Question, Pitt further argued: ‘The Resolution of May 1782 (repealing the Act of the 6th of George I. “for better securing the Dependency of the Kingdom of Ireland upon the Crown of Great Britain”) was carried *nem. con.*;² and thereby Ireland gained its Legislative Independence. But there were added to it these words, showing that more had still to be done, ‘that it was indispensable to the interests and happiness of both kingdoms, that a connection between them should be established by mutual consent upon a solid and permanent basis.’³ And then he asked, ‘What am I now proposing for the sake of Ireland? I am not content that Ireland should have only some of the benefits as part of the British Empire; but I am proposing that Ireland shall be allowed to participate all the blessings which at present England enjoys.’⁴

All this led on to the final declaration, in which the mind of Pitt, while grappling with the problems of his own day, seemed to foreshadow the ‘Home Rule’ conflict of our time—‘I say, that when you had TWO INDEPENDENT PARLIAMENTS IN ONE EMPIRE, you can have no security for the continuance of their harmony and co-operation.’⁵

The great statesman was supported by the British House of Commons; but only to learn, within a few days, that the Irish Parliament itself had scornfully ‘rejected’ all proposals for a Union. He and his Cabinet had however determined to

¹ Hansard's *P. H.* vol. xxxiv. p. 248.

³ *Ibid.* p. 250.

⁴ *Ibid.* p. 250.

² *Ibid.* p. 249.

⁵ *Ibid.* p. 250.

proceed.¹ And therefore we find him standing up in his place, on 31st January 1799, and protesting, 'It is the undoubted right of the House of Commons in Ireland to reject or to adopt such a measure. . . . But I also, as a Member of the Parliament of Great Britain, have a right to exercise, and that is to enforce and to advocate what, in my conscience, I think would tend, in the strongest manner, to ensure the safety and happiness of both kingdoms.'²

Thereon Pitt proceeded to open up to the House a series of Nine Resolutions, 'comprising the general heads of his plan,' advocating 'a complete and entire Union founded thereon';³ to be built 'on liberal principles, on similarity of Laws, Constitution, and Government, and on a sense of mutual interests and affections.'⁴ And the fair outcome of the plan was to be christened 'The UNITED KINGDOM of Great Britain and Ireland.' It was passed by a majority of 140 to 15, and referred to a Committee of the whole House.⁵

Thereafter, on the 7th February, we hear Mr. Grey exclaiming, in opposing the measure, 'What I most heartily wish for is a Union between the two countries; but, by a Union, I mean something more than the mere word—a Union not of Parliaments, but of hearts.'⁶ Verily, there is nothing new under the sun. Here is our familiar friend, the '*Union of Hearts*' phrase, that has done such yeoman service in the conflicts of our own day towards the close of the Nineteenth Century.

The occasion was so important that Mr. Speaker Addington felt constrained for once 'to give the reasons for his vote.'⁷ He reminded the House 'that, about the year 1778, a material change took place. The extinction of the hopes of the House of Stuart, and the peaceable demeanour of the Roman Catholics, led to the Repeal of the Penal Code.'⁸

¹ Hansard's *P. H.* vol. xxxiv. p. 254.

³ *Ibid.* p. 257, 289.

⁶ *Ibid.* p. 337.

⁴ *Ibid.* p. 292.

⁷ *Ibid.* p. 448.

² *Ibid.* p. 255.

⁵ *Ibid.* p. 321.

⁸ *Ibid.* p. 450.

And they obtained from the justice of the Irish Parliament full security to their property, complete personal liberty, and the perfect toleration of their Religion.¹ . . . Further concessions were made in 1782, and the Independence of the Parliament of Ireland was then fully and completely secured.' Then he proceeded to describe 'three plans for restoring tranquillity in Ireland, and for perfecting her connection with Great Britain. These had each their separate advocates. They were (1) Catholic Emancipation, or (2) Re-enactment of the Popery Laws, or (3) Incorporation of the Legislatures of the two countries.'² Mr. Speaker finally 'referred to the measure of 1793, by which the competency to enjoy and to exercise the Elective Franchise, and to hold certain offices, was afforded to the Roman Catholics of Ireland; regarding which measure Mr. Foster had declared that it was "the prelude and certain forerunner of the overthrow of the Protestant Establishment in Ireland, that it hazarded the Hanover Succession and the connection with Great Britain."³

The tide flowed steadily and strongly in one direction. The Resolutions were finally carried by a vote of 120 against 16, and the next step was a Conference with the Lords.⁴ On April 22nd Pitt is busy moving the Commons 'to agree with the Lords in an Address to be presented to his Majesty.'⁵ A Mr. Sylvester Douglas argued thus: 'It has been said, Will the Legislative Union appease Catholic discontent, or assuage the animosities of the Protestants? I answer, I am satisfied that the separate Parliament never will—perhaps, with safety, it never can—admit the Catholics to participate in the higher political privileges of the State; and the Catholics will never quietly submit to an Irish Parliament exclusively Protestant, having learned to consider that exclusive jurisdiction as an oppressive and tyrannical.'

¹ Hansard's *P. H.* vol. xxxiv. p. 451.

² *Ibid.* p. 452.

³ *Ibid.* p. 454.

⁴ *Ibid.* p. 513.

⁵ *Ibid.* p. 827.

nical usurpation of the few over the many. Perhaps the United Parliament may find it safe to admit them, and, if their admission were safe, their exclusion would thenceforward be unjust.¹

Lord Sheffield continued, in the same vein, revealing the purposes that really controlled this great measure,—‘In respect to Roman Catholics the Union alone can make it safe to satisfy their claims.² The Protestants will lose nothing, the Roman Catholics may acquire all they can desire; I hope we shall never again hear of Protestant Ascendency or Catholic Emancipation, words insidiously employed to the worst of purposes.’³

Thus, this great and far-reaching proposal was carried on this side with what was almost absolute unanimity. On the 26th April 1799 both Houses presented an Address to the King recommending the measure; and his Majesty announced that he would have ‘the greatest satisfaction in laying it before his Parliament of Ireland.’⁴ It did not apparently prove a very tedious job to buy off the Irish ‘Undertakers,’ and count out gold enough and pensions and Peerages to square all the greedy and needy “patriots.” For, exactly twelve months thereafter, on 21st April 1800, we are called upon to listen to his Majesty’s message ‘communicating to the Parliament of Great Britain the resolutions of the Lords and Commons of Ireland respecting the Union.’ These again were reciprocated, and carried almost with acclamation,—this part of the business closing with a ‘Joint Address’⁵—a kind of jubilation or political *Te Deum*, on the 8th May 1800.

Seven months are yet to elapse before the legal completion of the Union; but this last session of the last Parliament of Great Britain was brightened up for several weeks by a very lively discussion on what is called the ‘Monastic Institutions Bill.’ It was opened, on 22nd May 1800, by a motion in

¹ Hansard’s *P. H.* vol. xxxiv. p. 889.

³ *Ibid.* p. 948.

⁴ *Ibid.* p. 978.

² *Ibid.* p. 936.

⁵ *Ibid.* vol. xxxv. p. 37.

the Commons 'to consider the Act made in the 31st year of his Majesty, intituled, "an Act to relieve upon conditions, and under restrictions, the persons therein stated from certain penalties and disabilities to which Papists, or persons professing the Popish Religion, are by law subject."'¹

In a Committee of the whole House Sir Henry Mildmay said, 'that he was the last who would wish to contract that spirit of toleration that has admitted Catholic emigrants to the free exercise of their religious duties, so long as not inconsistent with the safety of Church and State. . . . But he could not conceive that it ever was the intention of Government to encourage a permanent re-establishment of Monastic Institutions in this Protestant country ; . . . also the recent foundation of a great variety of Catholic schools, engrafted on, and under the immediate superintendence of, these Monastic Institutions.² . . . He was a friend of toleration, but having admitted five thousand Priests into this country of a persuasion inimical to the Religion established by law, and continuing to subsist here at the public expense, it is our duty to be particularly careful to give no offence to the regular Church, and to see that the interests of the Protestant Community do not suffer by our humanity and indulgence.'³ He therefore moved these resolutions: '(1) That it is the opinion of this Committee that the temporary residence in this kingdom of certain Monastic Societies should be permitted, subject to the provisions of the Act passed in the 31st of his present Majesty, and that the admission of any new members into such societies should be prohibited,'—the names and numbers to be returned annually to the Quarter Sessions of the county; and '(2) That all persons, undertaking the public education of youth in the Romish faith should also return annually the names and number of their pupils, with the names of their parents; and that the power

¹ Hansard's *P. H.* vol. xxxv. p. 340.

² *Ibid.* p. 341.

³ *Ibid.* p. 342.

be given to magistrates, appointed by the Quarter Sessions, to inspect such Institutions at their pleasure.¹

Pitt at once gave his approval. The resolutions were agreed to. And, when next day they were reported to the House, Mr. Windham made only one feeble protest, 'that he did not feel any danger to this country from Popery, and therefore saw no need for providing a remedy.'² But Mr. Jones persisted that 'there was a danger from so many Catholic Priests remaining amongst us, and hoped that the Secretary at War, who had given them an instance of the effect of his powerful eloquence on the Bull-Baiting Bill, would not consider this as a Nun-Baiting Bill, and oppose it as he had opposed the other!'³

The bill was brought in, founded on these resolutions, and read a first time on June 5th, and a second time on June 11th. When it was under discussion in Committee, on June 23rd, Mr. Windham again protested 'that he had no alarms, no fears for Religion, arising from the existence in this country of Monastic Institutions.'⁴ Sir Henry Mildmay so far concurs; he 'has no apprehension from the prevalence of Catholic opinions; the same has been suggested to him by respectable Catholics, who affirm that the number of their Communion is daily decreasing—that the proportion is not one in every hundred of the population.'⁵ But he continues, in these highly suggestive words,—'In 1687, when the King was Catholic, all the Offices of State, and every avenue to power, were attainable only by Catholic influence; and Hume distinctly tells us that, at that time, the proportion of Catholics to Protestants was something less than one to one hundred.'⁶

Hobhouse tried to minimise the evil, and bring back the discussion to a historical basis,—'It had been the policy of our laws to inflict penalties and disabilities upon persons

¹ Hansard's *P. H.* vol. xxxv. p. 344.

² *Ibid.* p. 345.

³ *Ibid.* p. 346.

⁴ *Ibid.* p. 347.

⁵ *Ibid.* p. 352.

⁶ *Ibid.* p. 354.

professing the Roman Catholic faith, *not on account of their religious tenets*, but of the political opinions which they maintained. . . . Such persons had been regarded as objects of terror, because they acknowledged a Foreign Potentate paramount to the King of their own country, and held that faith was not to be kept with heretics, and that Princes excommunicated might be murdered. . . . The Catholics of this country had long abandoned these doctrines, and therefore, in 1791, a bill was brought in for the purpose of exempting them from certain penalties. Those who gave proof of having renounced their Civil opinions, by making the declaration required in that statute, were Roman Catholics; those who could not conscientiously subscribe that test were still Papists, for they still believed in the Supremacy of the Pope, in affairs temporal as well as ecclesiastical.¹

Hobhouse also enumerated the following statistical particulars: 'Seventeen societies of English ladies, bound by religious vows abroad, but residing in this country since 1794, including in all about 300 persons; four societies of Foreign ladies, with about fifty individual souls; and four male societies, three of them entirely English, from Douay and Bornhem; finally, of the 5000 French Emigrant Clergy, probably not 500 belonged to any Religious Order whatever.' So that, he concluded, these Institutions were 'certainly not formidable in point of numbers.'²

Mr. Erskine somewhat acutely pointed out 'that, although the bill took caution against the growth of Catholic influence, it would, if passed into law, be an *enabling statute*, inasmuch as without it these Foreign Catholics would be subject to severities from which they would then be exempted. Monasteries, since the Reformation, were not English Institutions. . . . The worship of their votaries was not only open to the Magistrates, but to all who chose to be present.

¹ Hansard's *P. H.* vol. xxxv. p. 356.

² *Ibid.* p. 357.

If they barred their doors, they were subject to all the penalties of the ancient laws.¹

The bill passed, despite all criticism, on 4th July 1800, by a vote of 52 against 24, and bore the title,—‘An Act to prevent any addition to the number of persons belonging to certain Foreign Religious Orders or Communities lately settled in this Kingdom, and to regulate the Education of Youth by such persons.’² But, when it reached the Lords, the bill was pulverised by the Bishop of Rochester, and contemptuously relegated to ‘that day three months.’³ Dr. Samuel Horsley protested,—‘With the laws respecting Popery equally applying to subjects and to aliens, and with the addition of an Alien Bill to keep aliens in order in all points, I conceive our security against the dangers which this bill would obviate to be most complete.⁴ . . . And the means of security which this bill would provide I affirm to be most unconstitutional.⁵ The King is empowered to grant them his licence to reside here during the war and one year longer,’ and to ‘perform and observe, within their respective houses, the rites and ordinances of their respective Institutions.’ This I maintain to be perfectly unconstitutional. What will be allowed under this licence? Penance, for example, as administered by the Superior,—consisting, say, of imprisonment for any length of time, and other corporal severities!’

Then, having thus pointed with a flaming finger at the inevitable consequence of attempting to regulate or sanction what is sinful, the Bishop overwhelmed his Peers with the irresistible appeal,—‘Good God, are the Superiors of these Parliamentary Monasteries to be empowered by his Majesty’s royal licence to imprison and otherwise maltreat the persons of his Majesty’s subjects?’⁶

Such were the last words, so far as they are connected with this History, which were heard by the last Parliament of

¹ Hansard’s *P. H.* vol. xxxv. p. 362.

² *Ibid.* p. 367.

³ *Ibid.* p. 368.

⁴ *Ibid.* p. 380.

⁵ *Ibid.* p. 380.

⁶ *Ibid.* p. 381.

Great Britain, though it continued to sit in a legal sense till 31st December 1800.¹ The Union with Ireland was dated to become effectual on and after 1st January 1801.² Thenceforth the Parliament can no longer be correctly spoken of as 'English,' any more than 'Scotch' or 'Irish.' It is no longer even the *British*,—it is now (and may it be ever!) the IMPERIAL PARLIAMENT of the United Kingdom of Great Britain and Ireland.

¹ Hansard's *P. H.* vol. xxxv. p. 858.

² *Ibid.* p. 858.

CHAPTER V

THE 'EMANCIPATION' MOVEMENT

A.D. 1801—1828

WE travel now and henceforth amongst the records and journals of the Imperial Parliament of the United Kingdom of Great Britain and Ireland. The echoes of the great Napoleonic Wars are around us at the opening of the Nineteenth Century. And every restraint, hitherto required to tie our hands down to the theme we have chosen, has been as nothing compared with what shall be necessary hereafter, with Nelson at Trafalgar, Napoleon storming all the capitals of Europe, and Wellington at Waterloo. Nay, with themes grander far and more fascinating than any battle-scenes that Earth ever saw, tempting us at every turn, and calling us with ten thousand voices of interest to tell the story of a new world that has been built up year by year in every nation of Europe—since Feudalism was slain in the great French Revolution, and Military Despotism fell on the field of Waterloo, and the New Democracy settled down to its long-drawn battle, no longer blindly to crush out or destroy Monarchy and Aristocracy, but to convert and cleanse and save them by making them both alike at once the servants and the friends of the people.

In fact, every well-ordered State in the world at this day is really illustrative not of any one principle, but of these Three Essential Principles of Government—perfection being attainable not in the exclusive adoption of one or the other, but in the combined operation of all the three. There is the

One who 'governs ;' there are the Few who 'rule ;' and there are the Many whom these rulers are there to represent, and whom the ruled ones freely 'obey ;' but all these are bound together, and can be held together, only by one tie—the SOVEREIGNTY OF THE LAW, the Supremacy of the Constitution of their country. Where the people have a free and full voice in electing the Legislators, and where the Sovereign power represents only and always the voice of the law, distinctive titles such as Monarch or Republic or Commonwealth, President or King or Kaiser, Despotism or Aristocracy or Democracy, are matters of mere convenience, if not of sheer indifference.

The Ideal of each form is certainly in harmony with the Ideal of the other two ; and to realise that Threefold Ideal is the unresting ambition of this age more than any of all the ages that are past. The Democracy to be wise and free in choosing its own representatives ; these representatives, again, to form a wise and noble Legislature—the true Aristocracy of every country ; and yet again the Sovereign, however appointed, whether directly by the vote of the people through their Polling Booths, or indirectly so through their own Act of Parliament—to be the wisest and the noblest of all ;—wisest as carrying out supremely only the expressed will of the Nation itself, and noblest as manifesting in his own person the most perfect loyalty to those laws and that Constitution, which he and all the people and all their representatives have alike bound themselves to maintain and defend.

These are the Essential Issues that are at stake in all the seething turmoils of this century. Grasp these firmly, and let mere names and titles shift and pass. Words, as meaning principles, are the golden coin of wise men ; but these same words, apart from the principles, are the worthless counters with which fools play their dangerous games—false and illegal 'tenders,' for which, alas, the lives and treasures of millions of human beings are recklessly bartered away !

SECTION I

The Launching of the 'Emancipation' Movement

THE First Imperial Parliament assembled on 22nd January 1801. So far as the official records go, nothing in its brief career concerns us in the present History. But we learn that, in February, the King accepted the resignation of Pitt and of his ablest lieutenants, putting into their places the dull and bigoted Addington Ministry.¹ And, as the spring of these events was the Roman Catholic Question, we must glance into the pages of more general history, and understand this transaction before we can proceed.²

In connection with the late Union Negotiations a hope was more or less authoritatively held out, beyond all doubt, to the Roman Catholics of Ireland,—that the Imperial Parliament would feel itself safe and warranted in removing their Civil Disabilities. Lord Castlereagh and others, with Pitt's implied, though not expressed approval, virtually gave the promise that the carrying of such a Relief Measure would at least be sincerely attempted; and that was the price whereby they bought off all opposition to the Union proposals on the part of the Roman Catholic authorities. Pitt manifestly had convinced himself and the leading members of his Cabinet that, upon the Union of Ireland with Great Britain, 'all danger of a Roman Catholic Supremacy in Ireland would be at an end,' even though all Civil Disabilities were taken away; and he had further dallied, more or less approvingly, with the notion of making 'an effectual and adequate provision for the Romish Clergy,' and thereby 'securing their loyalty,' as the phrase ran in those days. At any rate, it is beyond question that these ideas, with whatever

¹ Hansard's *P. H.* vol. xxxv. pp. 858, 944.

² Green's *S. H.* ch. x. sect. iv. p. 793.

authority, were circulated widely throughout Ireland ; and it is also certain that no sooner had the Union taken effect, than Pitt at once set himself to grapple with the 'Catholic Question,' as if he felt bound to redeem an honourable pledge.

The matured proposals of Pitt were confidentially submitted to the Cabinet, involving 'perfect Equality of Civil Rights to all irrespective of religious denomination ;' and the 'Abolition of all the Religious Tests' now limiting the exercise of the Franchise, or the equal capacity of admission to Parliament, the Magistracy, the Bar, Municipal Offices, the Army, or the Service of the State ; while 'Political Security' was to be provided for by imposing, instead of the Sacramental Test, an Oath of Allegiance and of Fidelity to the Constitution ; and 'Loyalty' was to be secured by a grant from the State both to the Roman Catholic and to the Dissenting Clergy.

It is said that the Chancellor, Lord Loughborough, proved a traitor in the camp, and revealed these plans to the King before the Cabinet had yet assented to them. Whereon George the Bigot rose to the full height of his fanatical capacity, and roundly declared, in a communication to Dundas, 'that any man who promoted such a measure he would regard as his personal enemy !' Pitt therefore now laid everything in writing before the King himself, and closed his defence of these proposals with the argument,—'that the Political circumstances under which the exclusive laws originated are no longer applicable to the present state of things.' These were : 'the conflicting power of hostile and evenly balanced sects ; the apprehension of a Popish Successor ; a disputed succession to the Crown ; a Foreign Pretender ; or a division in Europe between the Roman Catholic and the Protestant Powers.' But all such pleas were vain. George III. held himself bound by 'the terms of his Coronation Oath' to maintain the religious tests. The opinion of his own law advisers to the contrary had no effect in removing his

'conscientious scruple.' So Pitt and his friends 'retired from office,'—thereby vindicating themselves, as far as lay in their power, from any suspicion of trifling with their promises to Roman Catholic supporters in Ireland.

Political soreness of the most mischievous kind was the inevitable result. Charges of swindling and deceiving raged round this event for a quarter of a century and more. The worst that History can say, however, is that Pitt 'allowed the Irish Roman Catholics to believe' that he could and would do everything that they desired, without having first of all 'satisfied himself that he had the power to do so.' He felt that he had fully and honourably discharged their claims, so far as he himself was concerned, when he had tried everything he could to do so, but was baffled by the supreme authority. His retiral from office, rather than homologate the King's scrupulosity, was undoubtedly the highest evidence that Pitt could personally offer of his perfect sincerity and genuineness in advocating the Roman Catholic Claims.

The Second Imperial Parliament assembled in 1802, while the mighty storm was brewing against this United Kingdom, into which Napoleon put all his soul, and in the bursting of which finally at Waterloo he met his doom. As far back as 1793, Britain had been forced into war with France, by the latter's gratuitous attack on Holland, and the mischievous invitation to all the peoples in Europe to rise in arms against their rulers—with a wild pledge of aid from the Republic of France to one and all. When, in 1799, Napoleon climbed into the saddle as First Consul, there was a lull in the strife for a season. But the Peace of Amiens in 1802 left his hands free, and in 1803 his plans were openly maturing for the Invasion of Britain—'the sole monument of European Liberty left standing now, and standing among ruins!'¹ Napoleon cynically boasted that the 40,000,000 of France *must* conquer the 15,000,000 of Britain. He assembled

¹ Green's *S. H.* ch. x. sect. 4. p. 796.

at Boulogne a camp of 100,000, prepared flat-bottoms innumerable to carry them over the sea, sent his admirals to engage and to distract our Fleet, and, reading with a demon-glance all the issues of the conflict, his soldier-spirit cried: 'Let us but be Masters of the Channel for six hours, and we are Masters of the World!'

The Addington Ministry collapsed in dismay. William Pitt was recalled by the voice of the country in 1804; and the poor King was glad to see the reins once more in capable hands. Pitt summoned the Nation to arms in self-defence. England alone at once marched 300,000 volunteers into the field. He called for allies and leagued together Russia and Austria and Sweden to wrest Italy and the Netherlands from the grasp of Napoleon. Then God gave the signal blessing of Trafalgar Bay to put heart into the trembling nations. News arrived that, on 21st October 1805, Nelson had got into grappling distance with Villeneuve, and, though dying in his hour of glory, had shattered the French Fleet ere he fell, and thereby driven back the tide of invasion from our shores. Pitt, prognosticating justly the mighty influences of that day's conflict, exclaimed, and this was one of his last public utterances: 'England has saved herself by her courage; she will save Europe by her example!'

It was during this time of national danger that Ireland again acted her favourite part of a thorn in the side of Britain. As in the American Rebellion, as in the French Revolution, so now again in the Invasion crisis, she seized her opportunity. In July 1803 the King's message laments a 'rebellion in Ireland,' and he particularly complains 'that it has been marked by circumstances of peculiar atrocity in the city of Dublin.'¹ And, in 1804, the table of Parliament is again loaded with papers about the 'insurrection in Ireland.'²

The extreme necessities of Great Britain furnished an

¹ Hansard's *P. H.* vol. xxxvi. p. 1672.

² Hansard's *P. D.* (first series), vol. i. p. 737.

occasion for the renewal of Roman Catholic Claims; and a certain Mr. Dillon, of that earlier day, thus set the ball a-rolling once more. Addressing the Chancellor of the Exchequer, on 23rd April 1804, Dillon said 'that he was not aware, when he gave his vote in favour of this Irish "Militia Order Bill," that the Roman Catholics in the Irish Militia, as soon as they came over here, would be subject to the penalties of the statute of George I. He wished to know whether the right honourable gentleman had provided any remedy for such Roman Catholic militiamen? If not, he should, on an early day, submit a motion on the subject to the House.'¹ Pitt sharply responded, 'that the right honourable gentleman might have answered his own question: He could not have provided any remedy but by a legislative measure, of which the right honourable gentleman must himself have been aware. He could only observe that there was nothing applicable to the Irish Militia, which was not equally applicable to Irish Catholics in the Regiments of the Line, nor had they anything more to apprehend.'

In the House of Lords, the Earl of Suffolk still further intensified the strain by trying, on 21st January 1805, 'to ascertain the intentions of the Executive Government with reference to Catholic Emancipation.' Another result, that would affect his procedure, would be their treatment of the 'Petition' about to be presented 'from the Roman Catholics of Ireland.'² He reminded their Lordships 'that the Minister, now at the head of affairs, had given a solemn pledge and promise regarding that measure, without which he never could have carried the Union.'

At length the so-called 'Emancipation' Movement was fairly launched upon the Nation by the intimation of Lord Grenville, on 19th March 1805, 'that, on Monday next, he should present a "Petition" to the House on the part of "His

¹ Hansard's *P. D.* (first series), vol. ii. p. 181.

² *Ibid.* vol. iii. p. 45.

Majesty's Roman Catholic subjects in Ireland," a subject so grave, weighty, and important, that he had taken the liberty to previously mention it.¹

SECTION II

First Great Emancipation Debate

'THE Humble Petition of the Roman Catholics of Ireland' was presented, and read to the House of Lords by Grenville, on Monday, 25th March 1805, and led to the First Great Emancipation Debate, which began on Friday 10th May, and, after continuing all that day, was resumed again on Monday 13th, and lasted till six o'clock on Tuesday morning. The same petition was presented to the House of Commons by Fox also on Monday 25th March; the debate began there on Monday 13th May, raged on till Tuesday at 3 A.M., was resumed again on Tuesday afternoon, and finished on Wednesday morning at five o'clock. As the whole position of this Roman Catholic Question in the State, and all the arguments for and against, are fairly and freshly presented in this original petition, and the debates that cluster around it, we now set ourselves to convey to the reader a full and adequate portraiture of this episode in our History.

The Petition declares 'that his Majesty's subjects in Ireland professing the Roman Catholic religion are steadfastly attached to the person, family, and government of their most gracious Sovereign.'² They cherish 'affectionate gratitude for his benign laws ameliorating their condition during his paternal reign.' They 'contemplate, with natural and decided predilection, the admirable principles of the British Constitution.'

Further, 'they have solemnly and publicly taken the Oaths

¹ Hansard's *P. D.* (first series), vol. iv. p. 40.

² *Ibid.* p. 97.

by law prescribed, as tests of Political and Moral Principles.' By these Oaths they 'renounce and abjure obedience and allegiance to any other person claiming or pretending a right to the Crown of this realm;' they 'reject and detest as unchristian and impious to believe that it is lawful, in any ways, to injure any person or persons whatsoever, under the pretence of their being heretics; and also that unchristian and impious principle—that no faith is to be kept with heretics;' and they declare 'that it is no article of their faith, and that they renounce, reject, and abjure the opinion—that Princes excommunicated by the Pope and Council, or by any authority whatsoever, may be deposed or murdered by their subjects, or by any other person whatsoever.' Further, 'that they firmly believe that no act in itself unjust, immoral, or wicked, can ever be justified or excused by, or under pretence or colour that it was done for the good of the Church, or in obedience to any Ecclesiastical Power whatsoever.'

Again, and further, they emphatically announced: 'that it is not an article of the Christian faith, neither are they thereby required to believe or profess, *that the Pope is infallible*, or that they are bound to any order in its own nature immoral, although the Pope or any Ecclesiastical Power should issue or direct such orders; but that, on the contrary, they hold it would be sinful in them to pay any respect or obedience thereto.' They also affirm 'that they do not believe that any sin whatsoever committed by them can be forgiven at the mere will of any Pope or any Priest, or of any person or persons whatsoever; but that any person who receives absolution, without a sincere sorrow for such sin, and a firm and sincere resolution to avoid future guilt and to atone to God, so far from obtaining thereby any remission of his sin, incurs the additional guilt of violating a Sacrament.'¹

¹ Hansard's *P. D.* (first series), vol. iv. p. 98.

Yet again, by the same obligations, 'they have disclaimed, disowned, and solemnly abjured any intention to subvert the present Established Church for the purpose of substituting a Catholic Establishment in its stead ; and they have solemnly sworn that they will not exercise any privilege to which they are or may become entitled to disturb or weaken the Protestant Religion, or the Protestant Government in Ireland.'

Though 'painful to their feelings, that it is still thought necessary to exact such tests from them, and from them alone,' they can with perfect truth affirm 'that the political and moral principles thereby asserted are not only conformable to their opinions, but expressly inculcated by the Religion which they profess.' They regard themselves as 'entitled to toleration, not merely partial but complete, as subjects upon whose fidelity the State may repose the firmest reliance.'¹ And they remind the Parliament 'that, twenty-six years ago, their most gracious Sovereign and his two Houses in Ireland declared, in a public statute, the fact of the uniform peaceable behaviour of the Roman Catholics of Ireland for a long series of years' as the ground for 'relaxing the disabilities and incapacities' under which they laboured—'a sound policy which yet remains to be completed.' They then complain 'that, by divers statutes now in force,' they do yet endure many 'incapacities, restraints, and privations ;' but they lay very special emphasis on this above all others, 'that they are denied the capacity of sitting or voting in either of the Houses of Parliament.'²

They are also 'disabled from holding or exercising, unless by special dispensation, any Corporate Office whatsoever in the cities and towns where they reside ; incapacitated and disqualified from holding or exercising the offices of Sheriffs and Sub-Sheriffs, and various offices of trust, honour, and emolument in the State, in his Majesty's Military and Naval

¹ Hansard's *P. D.* (first series), vol. iv. p. 99.

² *Ibid.* p. 100.

Service, and in the administration of the laws in this their native land.'

They 'solicit the attention of this Honourable House to the humiliating and ignominious system of exclusion, reproach, and suspicion, which these statutes generate and keep alive.'¹ They solicit attention also to 'the distrust which has conceded the Elective, but denies the Representative Franchise to one and the same class of his Majesty's subjects,—detaches property from its proportion of political power,—closes every avenue of legalised ambition,—refuses to Peers of the Realm all share in legislative representation, and renders the liberal profession of the law to Roman Catholics a mere object of pecuniary traffic, despoiled of its hopes and of its honours.'

The petitioners 'most humbly submit that these manifold incapacities, restrictions, and privations, are absolutely repugnant to the liberal and comprehensive principle recognised by their most gracious Sovereign and the Parliament of Ireland; that they are impolitic restraints upon his Majesty's prerogative; that they are hurtful and vexatious to the feelings of a loyal and generous people; and that the total abolition of them will be found not only compatible with, but highly conducive to, the perfect security of every Establishment, religious or political, now existing in this realm.'²

They most explicitly declare that their sole object is the participation, upon equal terms with their fellow-subjects, of the full benefits of the British Laws and Constitution.' It is a 'measure which should annihilate the principles of religious animosity, and unite all descriptions of his Majesty's subjects in an enthusiastic defence of the best Constitution that has ever yet been established.'

And the petitioners close with 'the earnest and respectful hope' that the House, in its wisdom and liberality, 'will deem the several statutes now in force against them no

¹ Hansard's *P. D.* (first series), vol. iv. p. 101.

² *Ibid.* p. 102.

longer necessary to be retained,—that they may be effectually relieved from the operation of them, that so they may be restored to the full enjoyment of the benefits of the British Constitution, and to every inducement of attachment to that Constitution, equally and in common with their fellow-subjects throughout the British Empire.’¹

When the petition had been read, Earl Grenville ‘moved that it lie upon the table.’ It was of ‘vast importance and merited much deliberation.’ The Lords, while admitting all this, yet refused to ‘print and circulate it,’—as altogether ‘unusual’ in their House.

We have purposely given this petition practically in full, it is typical of a long and gradually intensifying series. Nothing could be more perfect as a specimen of the manner in which Roman Catholics always speak and act when they are in a minority, that is hopeless of anything else but Toleration, or a very modified Equality. They are then the most loyal and devoted subjects under their ‘much beloved Protestant Sovereign.’ They are then the unswerving ‘Advocates of Civil and Religious Liberty.’ And the British Protestant Constitution is then ‘the noblest that ever was established on the face of the Earth.’ As for the historical and traditional errors and offensive doctrines of Romanism, which seem to be inconsistent with those professions—why, they never held them, they abhor and renounce them! Nay, even their ‘Allegiance to the Pope’ is then described as a very thin and extremely spiritual affair—having no effect on any single Civil duty or temporal responsibility whatsoever. And as for the figment of the Pope’s ‘Infallibility’—they reject it, with a proper amount of genuine indignation, as an insult to their intelligence!

Again, we must remark in passing, this may have been once, it may be now, the voice of LAY CATHOLICISM; but it never has avowedly been,—it is not now, as will presently

¹ Hansard’s *P. D.* (first series), vol. iv. p. 103.

appear,—and, one may add, it never can, from the very nature of the case, honestly be the voice of CLERICAL PAPALISM. For, whenever the tug of war really begins, the loyal and independent voice of Roman Catholic Laymen dies into silence, and the unmistakable cries of the Papal Militia alone are heard advocating intolerance and exclusion, and demanding not Equality, but Supremacy. The voice of these Lay Petitioners is the voice of Jacob, but the hands of the Priests who are behind them are the hands of Esau.

The debate was introduced by Lord Grenville, on the 10th May 1805, by a 'motion for a Committee of the whole House to take this petition into consideration.'¹ He said, 'that the situation of the Revolution was not the situation of to-day ;² . . . and that, to his understanding, no necessity or expediency does or can exist against placing Roman Catholics upon the same footing as other subjects ; the principle being that the British Constitution is founded on a basis of equal laws,—equal, unless for some strong, manifest, and palpable expediency to the contrary.'³ In answer to the allegation that the mass of the Roman Catholics of Ireland were 'disloyal,' he admitted that, 'if that fact existed to the same extent as in the days of King William, the same reasons which justified imposing the restraints would justify their continuance ;'⁴ but argued that it 'was unjustifiable to attribute the late Rebellion to the Catholic body, for the principal leaders were not Catholics, but Protestants, and their object was not the overthrow of either Protestant or Catholic Religion, but of Monarchical Government.'⁵

In reply, Lord Hawkesbury insisted 'that this argument went to the full extent of repealing and abrogating all the tests at present subsisting in every part of the Empire,—that the question they were deliberating upon was really a claim for political power, and that the principles of the Revolution

¹ Hansard's *P. D.* (first series) vol. iv. p. 651.

³ *Ibid.* p. 662.

⁴ *Ibid.* p. 664.

² *Ibid.* p. 655.

⁵ *Ibid.* p. 665.

were not to be changed, except on the strongest grounds, and on the most urgent necessity.'¹ He maintained that 'it followed as a necessary consequence of the limitation of the Crown to persons of the Protestant Religion, that the same principle should apply to the immediate advisers, counsellors, and officers of the Crown, to those who dispense the favours of the Crown, who are, in some instances, actually the dependants of the Crown, and who must act in its name and by its authority—that position he held to be incontrovertible.'²

Grappling with the real issue underlying all the controversy, Lord Hawkesbury asked,—‘Can there be any doubt *of the importance and solidity of the distinction between Roman Catholics and all other classes of Christians?* Their obedience to a Foreign jurisdiction forms an additional feature in their dissent from the Establishment, as compared with that of all other Christians, and renders additional guards against them indispensable.’³ . . . It is not because I believe the Catholics to be bad men, it is because I believe them to be honest and sincere, that I would exclude them from that power which they might use for their own destruction. For it cannot be too often repeated that the question is not whether the Catholics may be loyal subjects, not whether they should enjoy Toleration, or obtain Civil Rights or Civil Liberty, but whether you will grant to them political power of every description at a time when they refuse to acknowledge the complete authority of the State? If the safety of the State requires a barrier, let that barrier be the law, and let us have courage and firmness enough both to avow and to maintain it.’⁴

Further, he held that this concession ‘would not satisfy the Roman Catholics, and to add to their political power by means which would not satisfy them, would be the greatest degree of imprudence.’ And this was enforced by reminding

¹ Hansard's *P. D.* (first series), vol. iv. pp. 673-676.

² *Ibid.* p. 677.

³ *Ibid.* p. 678.

⁴ *Ibid.* pp. 679, 680.

the House 'that, in 1793, the Catholics presented a petition in which they professed "specifically to state all their grievances;" everything therein asked was conceded;¹ but, in their address of thanks to the Lord Lieutenant, they stated that they considered these concessions as a first step only to "further favours," and expressed the hope that those would be followed by "further concessions." By what, I ask, will the present concessions, if granted, be followed up?'

To this Earl Spencer of that day swiftly retorted, 'Be it so, if the grounds of the additional grants be as good as those of the present!' And he ingenuously added, 'But I can never admit that the most remote wish would ever be expressed for the establishment of the Roman Catholic Church, or for allowing the Crown to be held by any but a Protestant Prince.'² The Roman Catholic who reads this, at the close of our century, chuckles, and whispers inwardly—*Sancta simplicitas!*

Lord Sidmouth sensibly objected that 'the term "Emancipation" was most improper. There was no slavery here from which Roman Catholics were to be delivered.'³ Lord Redesdale held 'that the Roman Catholic Clergy formed a large and compact body standing in open defiance of the law, exercising an authority which the law did not sanction, and treating the Protestant Clergy as usurpers.'⁴

The Earl of Limerick warned the House, 'If you mean to bid against the French Emissaries, and conciliate the Irish peasants now inclined to France, you must sacrifice your National Church, and give them the means by which it is subsisted,—you must abolish rents and make a perpetual grant of the farms to their present occupants.'⁵ Forecasting the future, with more than ordinary sagacity, Lord Limerick exclaimed, 'Suppose the case that, at some distant day, a struggle of parties may take place, and that the parties be

¹ Hansard's *P. D.* (first series), vol. iv. p. 685.

³ *Ibid.* p. 695.

⁴ *Ibid.* p. 713.

² *Ibid.* p. 694.

⁵ *Ibid.* p. 725.

pretty nearly balanced. What if then the Roman Catholic representatives, acting in a mass, should offer their assistance to that party which should favour their views? I declare that, as long as human nature remains unchanged, the resistance to their wishes on the part of Ministers would not be very strong.’¹

The adjourned debate was resumed on Monday, May 13th. The Earl of Buckinghamshire, who himself introduced the Relief Bill of 1793, yet held that, ‘so long as the Roman Catholics acknowledged a Foreign ecclesiastical jurisdiction within the United Kingdom, it was impossible to intrust them with any large share of political power; and he pointed out ‘that Dr. Troy, in his Pastoral of 1793, declared that this Supremacy of the Pope was one of those points on which all Catholics were agreed as “an unmistakable article of their faith.”’²

The Earl of Albemarle quoted, in support of the petitioners, the answers from the Universities, in 1789, to the questions submitted by the Prime Minister of the day. Sorbonne, Louvain, Douay, Alcala, Valladolid, and Salamanca, dealing with the famous three questions, about the Civil or political jurisdiction of the Pope in England, about his power of absolving from or dispensing with Oaths, and about Catholics not keeping faith with heretics, ‘totally and utterly denied every one of these allegations, and denounced them as most injurious and pestilential doctrines ascribed to them by their enemies.’³

Lord Chancellor Eldon zealously maintained ‘that everything which Religious Toleration demanded had already been conceded to the Roman Catholics;’ and, further, that ‘the basis of the British Constitution was not founded upon the principle of equal rights to all men indiscriminately, but to all men conforming to, and complying with, the tests which that Constitution demanded for its security.’⁴

¹ Hansard’s *P. D.* (first series), vol. iv. p. 727.

² *Ibid.* pp. 744, 745. ³ *Ibid.* p. 781. ⁴ *Ibid.* p. 784.

The Earl of Westmoreland mocked at the misnomer,—‘The *Emancipation* of the Catholics! They are as free as any subjects in the world. The term, as it was first intended, meant to emancipate Ireland, *i.e.* to separate Ireland from the Government of, and connection with, England. But what is now asked? It is to abolish all distinctions between Protestantism and Popery. Then, whilst one distinction remains, however high or special, the Roman Catholic grievance must continue!¹ . . . I must not look at the professions of the proposer, but at the tendency of the project; which, instead of tranquillising, will convulse the Kingdom of Ireland; and, instead of cementing the Union, will risk an ultimate separation.’²

The Earl of Darnley pointed out the steps of extinction of disabilities, during the reign of his present Majesty, at each stage declared by Parliament to be, ‘in consideration of their loyalty and good conduct.’ In 1774, ‘the Oath of Allegiance now in use was enacted. In 1778, the most galling and degrading of the Popery Laws were abrogated. In 1782, Roman Catholics were admitted to the rights of property. And, in 1793, everything was granted, with the exception of these privileges for which they now petition.’³

Lord Bolton wished that ‘the Roman Catholics themselves might find cause unequivocally to withdraw that barrier, insuperable whilst it remained in force, *viz.*, Divided Allegiance,—that obligation to Papal Supremacy, which rendered vain all pretensions to equal rights by the want of equal conditions.’⁴

Lord Grenville replied. The vote was counted at six o’clock on Tuesday morning! The contents numbered 49; the noncontents, 178. So that the motion was rejected by the staggering majority of 129.⁵ This was the first verdict by the Peers on the Roman Catholic Emancipation movement

¹ Hansard’s *P. D.* (first series), vol. iv. p. 788.

³ *Ibid.* p. 819.

⁴ *Ibid.* p. 837.

² *Ibid.* p. 794.

⁵ *Ibid.* p. 843.

after what was for them a quite exceptional debate for force and freshness as well as length.

Turn now to the House of Commons. We face the unwonted spectacle of a great debate raging in both Houses on the same subject and at the same hour.

It was on the same 13th May 1805, that Fox stood up there to plead the cause of the Roman Catholic Petitioners from Ireland.¹ He claimed to speak 'on behalf of one fourth of the whole population of the Empire.' He would grant that for which they petitioned 'as a right, because it is a general right of the people; and because there was no exception which ought to operate against the Catholics of Ireland.' He did not believe that even 'so many as twenty Catholic members would ever be returned to this House,'² or that they could 'ever endanger the Establishments of this country.'

Dr. Duigenan, fully armed at all points, at once leapt into the fray.³ He said that the petition had ninety-one signatures in all—'six Peers, three Baronets, and the rest Commoners.' He reminded the House that the only obstacle at present to their occupation of seats in Parliament arose 'from the laws, enjoining the Oath of Supremacy, and the repeating and signing of the Declaration against Transubstantiation by all Members previous to taking their seats and voting.' 'They refuse; thereby they exclude themselves.'⁴ And he called upon them to 'remember that the Pope never did claim any Temporal power in this land, save under the pretext that it was inseparably annexed to the supreme Spiritual power, and a necessary consequence of the same.' So late as 1768, 'the Pope's Legate from Brussels wrote, regarding the Oath proposed in Parliament to be taken by the Roman Catholics of Ireland, "that the abhorrence and detestation of these doctrines is intolerable" (the doctrines, namely, about faith not being kept with heretics, and about deposing or murdering Princes excommuni-

¹ Hansard's *P. D.* (first series), vol. iv. p. 834.

² *Ibid.* p. 847.

³ *Ibid.* p. 865.

⁴ *Ibid.* p. 870.

cated by the Pope), "because these doctrines are defended and contended for by the Catholic nations, and the Holy See has frequently followed them in practice." Let the supporters of the Romish Claims inform the House at what period, and by what public authority, did the Romish Church or its votaries renounce, or disavow these principles, or any, and which of them?'¹ Finally, he exclaimed, 'To sum up all arguments against this measure, the laws enjoining the taking of the Oath of Supremacy are not restrictive nor exclusive laws in respect of any class of people in this country, *except only traitors*. It is merely an Oath of Allegiance to the State, and no subject refusing it should be admitted to the functions of the Legislature, or to any place of trust and power, within the State.'²

Then the Imperial Parliament had its first taste of that pure and passionate eloquence, the echo of which still lingers about the walls of the House of Commons, when Grattan rose to plead for the Petitioners. He asked 'Protestants to relinquish their animosity on account of the Rebellion,³ and Catholics to relinquish their animosity on account of the Penal Laws, calling upon the latter to remember what the late Earl of Clare wrote,—“They who adhere to the Church of Rome are good Catholics, but they who adhere to the Court of Rome are traitors!”'⁴ He argued, 'that the partial adoption of the Catholics had failed, that the eradication of them cannot be attempted, and that the absolute incorporation of them with the State alone remained,—there was no other course.'⁵ And then he predicted that 'the two Religions, renouncing the one all Foreign connection, and the other all Domestic proscription, should form a strong country; and the two Islands, renouncing all national prejudices, should form a strong Empire. Half Europe is in battle against us, and we are damning one another on account of mysteries, when we should form against the enemy and march!'⁶

¹ Hansard's *P. D.* (first series), vol. iv. p. 877.

² *Ibid.* p. 916.

³ *Ibid.* p. 917.

⁴ *Ibid.* p. 920.

⁵ *Ibid.* p. 934.

⁶ *Ibid.* p. 939.

Another name, of which we shall hear often in the approaching years, here meets us in the person of Spencer Perceval, then Attorney-General. His speech, on this occasion, was distinguished by the same cutting rather than conciliatory characteristics as those which he delivered in the days to come, but with a grasp of the principles at issue—the firmest and the most serene of almost any statesman in that age. ‘I think,’ said he, ‘that no alternative can exist between keeping the Establishment we have and ultimately putting a Roman Catholic Establishment in its place. If gentlemen can make up their minds to that, they may conciliate Ireland, but not otherwise!’¹

Then a Mr. Alexander wound up the discussion for this day with the unflinching declaration,—‘I do not hesitate to assert that, with the middle and lower orders of Roman Catholics and the generality of their Clergy, under every change of Governors or Government proposed or attempted, *separation from England* has been the object invariably aimed at.’²

Nearly a century has passed since these words were spoken. Everything has been tried which was then dreamed of, and many things which the statesmen of that day on both sides denounced as impossible ever to be dreamed of! And yet—and yet—Irish discontents and grievances continue; while cries for Separation and Independence have never for one decade been silent. Ireland, at least Popish Ireland, is still the thorn, more or less festering from time to time, but always present, in the foot of the British Empire; and it sorely hampers her march in the van of human progress. Is history, after all, going to prove it true that while Papalism continues to be cherished in Ireland, no possible Reform in Church or State can pluck that thorn, or cleanse and cure that wound?

The Debate, which had been adjourned on Tuesday

¹ Hansard's *P. D.* (first series), vol. iv. p. 943.

² *Ibid.* p. 945.

morning at three o'clock, was resumed in the afternoon of that same day. Mr. Foster from Ireland insisted,—‘The Catholics possess now every benefit of Civil Liberty as fully as any other subjects. What, then, is the object of this Petition? Political power only. This is all that remains for you to give, or for them to demand.’¹ Reviewing all the previous concessions since 1778, to show that each had given rise, not to satisfaction but to larger and larger demands, he predicted that, ‘when possessed of this reform, and of the power of sitting in Parliament, it might be natural for them to look to the restoration of the Irish Legislature. It would require only the revival of the Irish Parliament to give them all the consequence, and all the superiority they long for. Grant this Petition, and the seeds of Separation would be sown.’²

Thereon, he continued, and as we read we rub our eyes, fearing that we have stumbled on a Unionist Speech of these later Home Rule days,—‘If by conciliation is meant the giving of satisfaction, why do you look to Catholics only, and forget that there are above a million of Protestants?’³ Will they be satisfied by your breaking down the barriers which secure their protection? Remember that you have settled us in Ireland under the faith of that protection! And in that faith we claim as our inheritance all the blessings of that glorious Constitution which our ancestors and yours have fought and bled for. That is what we call Protestant Ascendency, in the true sense of the phrase, and I will ever demand it for my country.’

And then rose William Pitt, Chancellor of the Exchequer as well as Prime Minister, to explain the perplexity of his own position,—the friend, the original founder of the measure, ‘but now constrained by overruling circumstances to pronounce it highly inopportune.’ He had ‘never been one of those who held that the term Emancipation was, in the

¹ Hansard's *P. D.* (first series), vol. iv. p. 999.

³ *Ibid.* p. 1004.

² *Ibid.* p. 1003.

smallest degree, applicable to the repeal of the few remaining Penal Statutes to which Catholics were still liable.¹ In no possible case, before the Union, 'could the privileges now demanded have been given, consistently with a due regard to the Protestant interest in Ireland, the internal tranquillity of the kingdom, the frame and structure of our Constitution, or the probability of the permanent connection of Ireland with this country.'² His own idea had been to 'render the Priests dependent in some sort upon the Government,' by the co-ordinate endowment of Popery. But, at the present moment, 'he saw no chance of the measure being carried with advantage to the Petitioners or benefits to the State, for the prevailing sentiment was strongly against it.'³

The vote was taken at 5 A.M. on Wednesday, May 15th, and the motion was rejected by the heavy majority of 212. There were 336 against 124.

Thus proceeded and ended the first great historical struggle in the so-called 'Emancipation' Movement. We have rehearsed the debate somewhat fully. A very similar debate, with the identical arguments in many cases, and with similar arguments in all cases, except when here and there a fresh and strong political Personage comes on the scene, filled the greater part in several sessions of every Parliament till 1829. All these debates we have analysed with care and fulness, travelling honestly through every speech. Should the world care for them, they must appear in a separate book—*A Parliamentary History of the Emancipation Movement from 1805, and of the Relief Bill of 1829*. But to reproduce them, in anything like the same extent here, would, besides repeating many times over similar facts and arguments on both sides, render this History cumbrous by its sheer bulk of materials. We have resolved, therefore, to sketch the remainder of the History of this movement on a briefer plan,

¹ Hansard's *P. D.* (first series), vol. iv. p. 1014.

² *Ibid.* p. 1015.

³ *Ibid.* p. 1019.

giving dates and findings with full and perfect accuracy, but leaving out all the debating speeches, save in so far as fresh facts or new arguments are employed ; so that every reader may have a faithful picture of the whole Movement, without being either fagged to death by the mere length of the controversy, or bamboozled by the endless repetition of almost identical details. But, ere the battle ends, we shall find space to present the last great historical debate as fully as the first in all its arguments and details. Besides, it will be our sincere and unfailing purpose so to reproduce all the facts and ideas that every capable student will have here in his hand, within the compass of this book, and that authoritatively, the *pro* and the *con.* of every step in this long-drawn controversy of the centuries.

SECTION III

Intervening Events and Discussions

OUR last outlook on general affairs showed us Napoleon in his Invasion Camp at Boulogne, gnashing his teeth over the baffling of all his plans by the sea-dogs of Nelson in Trafalgar Bay. He shall not be 'Master of the Channel' even for the brief 'six hours' for which he stipulated, and therefore he can never be 'Master of the World.' But his demon-genius for war could not be finally subdued, without many a world-convulsing struggle in the ten years that were to follow. And, first, without a moment for empty mourning over baffled plans, he 'swung round his army' from Boulogne to the Danube, and attacked the Coalition of the Nations in his rear.¹ Within an incredibly short time came the appalling news of his victory at Austerlitz, where he compelled Russia

¹ Green's *S. H.* ch. x. sect. iv. p. 797.

and Austria to bite the dust before France in utter and humiliating defeat.

William Pitt was then only forty-seven. But his health was broken; and, according to Wilberforce, 'Austerlitz killed him!' The dauntless spirit seemed to be crushed at last; and, as the stupor of death crept on, those around heard him muttering—'My Country! My Country! Alas, how I leave my Country!' These, amid the shadows of a great life's baffled hopes, were the last articulate words of Pitt the younger. He passed away on 23rd January 1806, and next day we find Parliament busily discussing and arranging for 'National Funeral Honours'¹ to one of the greatest Prime Ministers, if not the greatest, that this country ever produced. They laid him in Westminster Abbey and in Chatham's grave; nor is there, perchance, one other spot on earth where sleep together the ashes of 'such a father and such a son!'

The next twelve months are throbbing full of interest—political, social, and international. Pitt's place could only be filled by a 'Coalition of all the Talents.' Grenville became Prime Minister, and Fox the Foreign Secretary. Lord Erskine became Lord Chancellor, and Windham, Secretary at War. Tory, Whig, and Radical gave their best, resolved to promote Reform at home and to rescue Europe from Napoleon.

The Grenville Ministry were at once put on their mettle by a question in the House of Commons. Mr. Dillon appealed to Fox to 'learn the future intentions of that right honourable gentleman with respect to the claims of a large portion of his Majesty's subjects in Ireland. . . . Rumours were abroad of a very extraordinary change of sentiments; and that the great body of the Catholics had acquiesced in this change.'² Charles James Fox, now the Right Honourable Secretary, managed his reply with diplomacy and yet with

¹ Hansard's *P. D.* (first series) vol. vi. pp. 41-72.

² *Ibid.* p. 404.

courage. He rather overdid his innocent protestations of ignorance, in retorting that 'the question was extremely vague, that he did not profess to understand it, and that, as to rumours of changed opinions, he knew not to whom they referred.' But he scored heavily when he warmly replied,— 'All that I think it necessary to say as to my future conduct is to refer to my past ;' and again, when he continued thus, as a lifelong champion of the Catholic Claims with a blameless record in that regard,— 'I cannot hesitate to declare that, if asked as to the propriety of bringing forward the Catholic Claims at present, I should recommend to take into consideration the prospect of success, and the greater probability of succeeding this year or the next, and at the same time to bear in mind the issue of last year's discussion.' And then he added, with the skill of a practised Cabinet mouthpiece, — 'I do not feel myself obliged to say anything more upon the subject.'¹

Alas, his country was not long to enjoy his services, now that power at last rested upon him! He was deceived by Napoleon's evasion of his well-intended 'Overtures' towards an honourable peace, while resolute to rescue Europe from the grasp of that tyrant. He missed a golden opportunity of aiding the heroic army of Prussia; and Napoleon's mighty victory at Jena, in October 1806, laid all North Germany prostrate at his feet. But kindly death spared Fox the pain of this disaster. He had passed away a few weeks before, on 13th September; and pangs of dissolution began at once to threaten the Grenville Ministry.

Charles James Fox, the precocious son of Henry Fox, first Lord Holland, and of the daughter of the Duke of Richmond, died at fifty-seven, only ten years older than William Pitt. He had lived the wild, gambling, and vicious life of the fast men of his day. At the preposterous age of nineteen he entered Parliament, as member for Midhurst, by his father's

¹ Hansard's *P. D.* (first series), vol. vi. p. 405.

influence. Edmund Burke goes the length of declaring that 'he was the greatest debater the world ever saw.' The nation laid him in Westminster Abbey, his grave being so near to that of his illustrious and life-long opponent William Pitt, that Sir Walter Scott afterwards sang—

'Shed upon Fox's grave the tear,
'Twill trickle to his rival's bier !'

The Grenville Ministry, weakened though it was, resolutely went forward. They carried the long agitated proposal for the Abolition of the Slave Trade,¹ early in 1807, in the teeth of reactionary obstructionists in the House, and amidst the muttered vengeance of wealthy merchants in the country who fattened on the spoils of human flesh. Still the Ministry was tottering to its fall, and the following event sealed its doom.

During the first session of the Third Imperial Parliament, on 5th March 1807, a certain 'Army and Navy Service Bill' arrests our attention.² Lord Howick explained its object thus: 'For securing to all his Majesty's liege subjects the privilege of serving in the Army and Navy, by their taking the Oath prescribed by Act of Parliament; and for leaving to them, as far as convenience would admit, the free exercise of their respective Religions.' He maintained that 'as the exclusive laws had been directed not against religious opinions themselves, but as supposed to be connected with political principles,' and that, as 'the connection between the Religion and the Politics of the Catholics of the United Kingdom had now ceased,' therefore those restrictions were rendered unnecessary.'³ The Irish Act of 1793, which allowed these privileges to Roman Catholics there, excepting only the higher military offices, was by this bill to be extended to the United Kingdom, and all exceptions to be abolished.

But Spencer Perceval jumped upon this supposed inno-

¹ Hansard's *P. D.* (first series), vol. viii.

² *Ibid.* vol. ix. p. 2.

³ *Ibid.* p. 3.

cent measure, and denounced it as 'one of the most dangerous ever submitted to Parliament.'¹ In this view, 'one Religion was as good as another, and the Reformation was to be deemed only a convenient and politic transaction.' The Mutiny Bill 'covered all that was required; for by it the King could command the services of every man in his Army in any part of his dominions.'² He declared that the proposed measure 'owed its existence to ulterior causes;' and indignantly inquired 'whether gentlemen perceived that their reasoning extended even to the Succession to the Crown?' The question was simply this, 'whether the Legislature would give up Protestant Ascendency in Ireland, or whether they would make a stand here and say, We have already done everything that toleration requires, or that Catholics have a right to demand!'³

The Government, however, forced on the proposal. Leave was granted to 'bring in the bill.'⁴ Then occurred one of these sudden kaleidoscopic changes, which Parliament had several times witnessed since George III. determined to rule as well as to reign. On March 18th the Ministry officially 'dropped the order for the Bill.' They were 'not authorised, nor would it accord with their duty, to enter into any further explanation of the circumstances which had occurred.'⁵ But, on March 26th, Lord Howick was put forward to explain that the Ministry had resigned, rather than assent to his Majesty's demand 'not to meddle with the Catholic Question.'⁶ The proposed bill was 'irreconcilable with his Majesty's principles. The King would reluctantly extend the Act of 1793 to the United Kingdom; but he would consent to no further concessions whatsoever. He demanded of us a positive assurance not to present to him any such measures. We declined, and resigned.'⁷

¹ Hansard's *P. D.* (first series), vol. ix. p. 8.

² *Ibid.* p. 9.

³ *Ibid.* p. 10.

⁴ *Ibid.* p. 20.

Ibid. p. 149.

⁶ *Ibid.* p. 270.

⁷ *Ibid.* p. 280

The Portland Cabinet, with George Canning, the Foreign Secretary, as brain-force and actual leader, then entered on office, and had to face instantly one of the great Constitutional debates of the century. It began on 9th April 1807, in the Commons, and lasted all through that sitting on till 6.30 A.M. on Friday morning. It raged around a motion by Mr. Brand, which was virtually an impeachment of Ministers, — ‘That it is contrary to the first duties of confidential servants of the Crown to restrain themselves, by any pledge expressed or implied, from offering the King any advice which the course of circumstances may render necessary for the welfare and security of any part of his Majesty’s extensive Empire.’¹ The Ministry defended themselves and secured a majority of 32.² The same problem was threshed out also in the Lords,³ and, with such uncommon vigour, that they did not adjourn till seven o’clock in the morning, having supported the Ministry by a majority of 90. Nay, on April 15th, the whole ground was travelled over once more in the discussion over ‘Ministerial Explanations’ as to their resignation; and, after raging on through a third all-night sitting, the Commons rose at 6.30 A.M., having this time white-washed the new Cabinet by a majority of 46.⁴

About three months later, towards the close of this last session of the Third Imperial Parliament, the Roman Catholic Question again stirred the passions of the House. This time the debate centred on the College at Maynooth. It arose upon an intimation by the Right Honourable John Foster, representing the Irish Exchequer, — ‘That he would move for the ordinary grant of £8000, but, not thinking the additional grant of £5000 necessary, he would not move for it.’⁵ On 15th July 1807, when the House sat in Committee of Supply, he explained that the previous grant of £13,000 included a special sum of £5000, voted on the recommenda-

¹ Hansard’s *P. D.* (first series), vol. ix. p. 286.

³ *Ibid.* p. 422.

⁴ *Ibid.* p. 475.

² *Ibid.* p. 348.

⁵ *Ibid.* p. 796.

tion of the late Ministry 'for additional buildings there.'¹ They were now in great forwardness, and 'he would by no means pledge himself to repeat that vote.'

Mr. Hawkins Browne protested that, had he been a Member of the Irish Parliament, he never would have given his consent to establish such an anomaly as a College, maintained within the realm at the expense of the State, to educate a Clergy for the purpose of propagating a Religion contrary and hostile to the State itself—a Religion which every member of that House was bound to abjure before he could take his seat.'²

But the Mr. Parnell of that day 'held in his hand the Prayer-Book used by the Roman Catholics in Ireland,' and read from it extracts to vindicate their loyalty; to the effect '(1) that no Catholic could be bound to submit to a decree from General Council or Papal Consistory, deposing the King, or absolving subjects from their allegiance; (2) that it was no matter of faith with them to believe that the Pope is himself infallible, or that he has any direct or indirect authority over the temporal power and jurisdiction of Princes; (3) that the murder of Princes excommunicated for heresy is a doctrine impious and execrable, and that no power on earth can license men to lie, or to forswear or perjure themselves on pretence of promoting the Catholic Cause.'³

The Government, however, insisted upon its motion, and the resolution was agreed to. This is one of the side issues in the age-long controversy which we here describe and record. Again and again it crosses our path, and the wily story of Maynooth Seminary, from first to last, would require a volume all to itself. But we must be content with such glimpses only as shed light more or less on our present theme, and help us to see and to interpret the currents that were then flowing, strongly acting and reacting upon each other as they rushed

¹ Hansard's *P. D.* (first series), vol. ix. p. 817.

² *Ibid.* p. 818.

³ *Ibid.* p. 820.

along, and forcing into their present channels all the streams of our history.

The Fourth Imperial Parliament assembled on 21st January 1808.¹ There was, apparently, no great change in the *personnel* or the spirit of the Administration. Spencer Perceval was still Chancellor of the Exchequer, and Eldon the Lord Chancellor. But events transpired which led this Parliament to give the Emancipation Movement its first great victory, and to inspire its advocates with a boundless enthusiasm. There was a long road, however, to be travelled before that summit could be reached.

The Maynooth affray was renewed on April 29th, in Committee of Supply. Mr. Foster again explained 'that the grant was formerly £8000, that last year it was increased to £13,000 to provide buildings for fifty additional students, and he moved for current year that a sum not exceeding £9250, Irish Currency, be granted for his Majesty to defray the expenses of the Roman Catholic Seminary in Ireland.'²

Sir John Newport 'moved for £13,000 ;' arguing that it was 'of the utmost importance that the Catholic Priesthood should be educated in their native country and under the eye of the Government ;' and not hesitating to avow 'that the Administration were infatuated, when the influence of the Priesthood was so considerable, to take a step so decidedly hostile to that body !'³

Sir Arthur Wellesley, a name to be hereafter famous in this history, significantly struck in to say,—'The fact was that when Maynooth Institution was first established, it was never intended that it should be maintained by the Public Purse. The Memorial presented previously to the foundation of that Establishment prayed only for a Charter, in order that their own funds might be better secured.'⁴ A characteristic first

¹ Hansard's *P. D.* (first series), vol. x. p. 1.

² *Ibid.* vol. xi. p. 89.

³ *Ibid.* p. 90.

⁴ *Ibid.* p. 91.

step, as in many other Papal Claims, since developed to vast importance !

Spencer Perceval retorted, as to charges of bigotry and intolerance, that 'it was no part of religious toleration to make provision for the education of the Clergy of a tolerated sect !'¹ The Ministry were again triumphant, this time by a majority of 35.²

No sooner, however, did the resolution of Committee come before the House than the battle was again renewed. Sir John Newport still denounced it, as 'calculated to irritate the great body of the Catholics, and particularly to alienate the Priests.'³ The Chancellor of the Exchequer, Spencer Perceval, again reminded the House 'that the Memorial of the Catholics which led to the Establishment of Maynooth, claimed no pecuniary aid. They promised to defray the whole expenses themselves.'⁴ Even Wilberforce, founding on toleration, as expounded by Locke as well as Rousseau, maintained 'that, in supporting an establishment at the public expense for the educating of a class differing from the Established Religion, we went beyond the bounds of toleration, we exercised a degree of liberality unknown in any other country !'⁵

The amendment was rejected by a majority of 106 against 82 ; and the resolution of the Government was confirmed, continuing the reduced grant.⁶ But it must in candour be admitted that the arguments which prevailed against the additional sum should have cancelled the whole Endowment. Surely no Parliament, except one in a peculiarly Irish mood, would have indorsed the original proposal of a Protestant Nation being called upon to pay for the training of Roman Catholic Priests.

¹ Hansard's *P. D.* (first series), vol. xi. p. 93.

² *Ibid.* p. 98.

³ *Ibid.* p. 121.

⁴ *Ibid.* p. 123.

⁵ *Ibid.* p. 125.

⁶ *Ibid.* p. 128.

SECTION IV

The Second 'Emancipation' Debate

THE larger question, however, again summons our attention. As far back as 11th April 1808, we find Lord Grenville 'moving the Upper House to take into consideration a certain Petition from the Roman Catholics of Ireland ;'¹ and it was ordered for 13th May.

Next day, April 12th, Grattan presented a similar petition in the Commons ; but, on 'admitting that some signatures were real, others affixed by authority,'² he consented, at the Speaker's suggestion, to 'secure original signatures, present it on May 16th, and move for a Committee.'³ It was on this small side issue that a certain Sir Robert Peel first lifted arms in this fray, in which he was afterwards to hold a dominating influence — pointing out that in 'the great Manchester petition for peace, which had 47,000 signatures, there were found upon scrutiny only 1600 genuine, and many of the names annexed belonged to persons who were dead !'⁴

The petition was finally submitted on May 23rd, and became the occasion of the Second Emancipation Debate.

The Petitioners referred back to their original petition of 1805 ; indeed, they present nothing new this time, unless it be more impassioned declarations of enthusiasm for the British Constitution ! They dwell upon 'their affectionate attachment to his Majesty's sacred person and family, their due obedience to the Laws, and their just predilection for the British Constitution ; and they pray the House to admit them to the full enjoyment of those privileges, which every Briton regards as his best inheritance.'⁵

The debate was led off by Grattan, on Wednesday,

¹ Hansard's *P. D.* (first series), vol. xi. p. 1.

² *Ibid.* p. 39.

⁴ *Ibid.* p. 35.

² *Ibid.* p. 32.

⁵ *Ibid.* pp. 490-493.

25th May 1808, on the motion,—‘that the House do now go into Committee to consider the aforesaid Petition.’¹ His speech, for passionate eloquence, for argument all aflame, took away the breath of the House so completely that, when he sat down, ‘there was a long silence.’ No member felt anxious to break the spell, and the House was only recalled to its senses by the cry of ‘Question! Question!’² This was a threat to take the vote there and then.

He had quoted the ‘Answers of the Six Universities,’ as ‘the six instruments from the Catholics of Ireland to prove that there is no moral incompatibility between the two Religions.’³ And, to show that there was ‘no political incompatibility,’ he had insisted that the Catholics had proved to us ‘that the Pope is nothing more than a name!’ He had announced ‘that he was authorised, on the part of the Catholics, to offer’ a ‘Royal Veto’ on the nomination of all their future Bishops.⁴

After travelling eloquently over all the field of controversy, the ‘violation of the Constitution,’ the ‘Coronation Oath,’ etc., for which readers must be referred to our volume on *Emancipation*, Grattan closed with the appeal,—‘I move, then, that this petition be referred to a Committee. I move it on grounds of National justice, and shall conclude with two wishes,—first, that you may long preserve your Liberties; and, second, that you may never survive the loss of them!’⁵

The impassioned oration was followed by long silence, broken at length by loud cries of ‘Vote! Vote!’ When Mr. Fitzgerald rose, the cries continued, and ‘strangers were ordered to withdraw.’ The public being admitted again, after a brief interval, Mr. Secretary Canning was then addressing the Chair, insisting upon ‘the necessity for moderation and good temper,’ amidst renewed shouts of ‘Order! Chair!’ He explained ‘that if he and his colleagues

¹ Hansard’s *P. D.* (first series), vol. xi. p. 549.

² *Ibid.* p. 572.

³ *Ibid.* p. 553.

⁴ *Ibid.* p. 556.

⁵ *Ibid.* p. 572.

wished to go to a silent vote, it was from no want of respect to the able and eloquent right honourable mover, but because there was at present no prospect of a successful issue to the question before the House, and nothing but mischief could result from the discussion.’¹

Mr. Fitzgerald, the knight of Kerry, declared ‘that the expectations awakened by Pitt at the time of the Union were that this and other measures, which could not with safety be conceded by a Local Legislature, could be conceded with safety by an Imperial Parliament.’² And he quoted the memorable reply of Judge Blackstone to Montesquieu, who had censured the Revolution Laws as inconsistent with the boasted freedom of England,—‘If ever the time should come, and perhaps it is not very distant, when all fears of a Pretender shall have vanished, and the power and influence of the Pope become feeble, ridiculous, and despicable, not only in England but in every country in Europe, it probably would not be then amiss to review and soften these rigorous edicts; at least till the Civil principles of the Roman Catholics called upon the Legislature again to renew them.’³

Lord Castlereagh ‘at once and positively denied that Pitt or himself gave any promises at the time of the Union, which could fetter the judgment of Government or of Parliament, on what was never regarded as a claim of right, but always as a question of policy.’⁴

Spencer Perceval, Chancellor of the Exchequer, arguing over the whole ground about the ‘tranquillising of Ireland,’ and the ‘satisfying of the Roman Catholics,’ renewed his former warning: ‘If you mean to satisfy the Roman Catholics by your concessions, you should make up your minds to establish their Religion in Ireland, for short of that you can never satisfy them.’⁵

The vote was at length taken at six o’clock on Thursday

¹ Hansard’s *P. D.* (first series), vol. xi. p. 572.

² *Ibid.* p. 580.

³ *Ibid.* p. 586.

⁴ *Ibid.* p. 589.

⁵ *Ibid.* p. 623.

morning, and the motion was rejected by the heavy majority of 153. There were only 128 for, and there were 281 against, taking the Petition into consideration at that juncture of affairs.¹

On the following Friday, 27th May, the debate on a duplicate of the same Petition was opened by Lord Grenville in the Upper House.² He pleaded for the granting of the prayer of the petitioners, 'if not to redeem our plighted faith at the Union, at least to satisfy the just expectations then created.' He pictured the Napoleonic Crusade against Britain, and warned them against being found 'in the hour of our peril, in this dreadful convulsion of the world, a divided people!'³

Viscount Sidmouth complained of the disposition 'to operate, if possible, on our fears;'⁴ and maintained that in Ireland 'there was now no distinction betwixt Protestant and Roman Catholic, except that created by the Act of Supremacy, the Catholic refusing to take that Oath disqualified himself from certain of the highest situations of judicial, military, and political power.'⁵

The Bishop of Norwich, Dr. Henry Bathurst, zealously advocated the cause of the petitioners.⁶ If a Roman Catholic 'could not be trusted on his oath, he was not only unworthy of these privileges, he was unfit for social intercourse of every kind!'⁷ Their plea was one, 'not of abstract right to possess offices, but of equal eligibility to do so.' Blackstone's supposed state of matters, further, 'had now come to pass; there was no Pretender to the throne; and as for the Papal power,—*Magni stat nominis Umbra*,—nothing more!'⁸ The objection, founded on the Coronation Oath, he denounced as the weakest of all,—'besides, it had already been swallowed up by the concessions of 1782 and 1793.'⁹

Lord Hawkesbury 'did not rest his objections on times

¹ Hansard's *P. D.* (first series), vol. xi. p. 638.

² *Ibid.* p. 643.

³ *Ibid.* p. 653.

⁴ *Ibid.* p. 666.

⁵ *Ibid.* p. 670.

⁶ *Ibid.* p. 675.

⁷ *Ibid.* p. 677.

⁸ *Ibid.* p. 679.

⁹ *Ibid.* p. 680.

and circumstances, but on the principle that a Protestant Government alone was consistent with the laws and constitutions of the British Empire.’¹

The motion was rejected by a majority of 87. There were 74 contents and 161 non-contents. Of the former number, thirty Peers exercised their privilege of recording their dissent, and the reasons for it, on the Journals of the House. And amongst these one reads that the Measure ‘was imperatively called for by circumstances of immediate and uncontrollable necessity,’²—*a sort of fatalism* which at length, in 1829, actually won the day.

SECTION V

The Third ‘Emancipation’ Debate.

DURING the next Session, 1809, the question was allowed to rest, so far as the two Houses were concerned. The nation held its breath whilst Sir Arthur Wellesley and Sir John Moore wrestled in death-grips with the Marshals of Napoleon in Spain. Corunna and Talavera added glory to British arms, and revived the spirit of Europe.

But the fourth session of this Fourth Imperial Parliament launches us once more upon this restless controversy. First, it took the form of two ‘Petitions from the Roman Catholics of England.’ They were presented to the House of Lords by Earl Grey on 22nd February 1810.³ The one respectfully ‘prayed to be relieved from the Disabilities under which they laboured, entailing upon them many hardships.’ The other was a Memorial, ‘declaring their willingness to consent to any arrangement that might be deemed necessary for the security of the existing Establishments, that

¹ Hansard’s *P. D.* (first series), vol. xi. p. 694.

² *Ibid.* p. 696. ³ *Ibid.* vol. xv. p. 503.

might not be inconsistent with their own religious opinions.' Again, the Earl's main argument was 'the momentous European crisis, and the necessity of uniting all his Majesty's subjects in defence of the country,'—an argument based on *this glaring contradiction*, that the Roman Catholics are most loyal subjects, but, in order to make them loyal and keep them loyal, you must yield to their claims.

The second petition or memorial was signed by three out of four of 'the Apostolic Vicars-General' in England. The fourth refused to pledge himself to agree to any security that might be deemed necessary for the existing Establishments.¹ The grit of his conscience was a little truer and harder, or his sense of self-consistency a little stronger. He felt that he was there to overthrow, to undermine, and not to make secure!

In the House of Commons, Grattan presented the 'Roman Catholic Petitions from Ireland,' and had to make in connection therewith a very galling confession. He said 'that the Roman Catholics were not now willing to concede to his Majesty a right of Veto on the nomination of their Bishops;'² and he gallantly declared, that he would never agitate the question, 'whether he had misinformed the House when he last spoke on Catholic Claims, or whether the Catholics were guilty of retraction,'—it being 'a fixed principle with him never to defend himself at the expense of his country!'³ That was a delicate, but not less precise, way of fixing the blame.

The Petition itself harked back on those of 1805 and 1808, but demanded, in much bolder terms, a 'full, equal, and unqualified participation of the benefits of the laws and constitutions of England;' and declared that 'this was not merely expedient, but also necessary; not only a debt of right, but perhaps the last remaining resource of the Empire.'⁴

¹ Hansard's *P. D.* (first series), vol. xv. p. 505.

² *Ibid.* p. 633. ³ *Ibid.* p. 634. ⁴ *Ibid.* p. 640.

This menacing tone was always assumed, when the Foreign outlook of the country was darker than usual, as now when the demon-influence of Napoleon was raging at its worst. And all through our history, it throws a very sinister light upon the spirit and the motives of the Roman Catholics of Ireland.

Scattered petitions continued to be presented during the intervening weeks, till, on 18th May 1810, the Third Emancipation Debate was introduced by Grattan in the House of Commons.¹

His speech turned on these two pivots, 'Domestic Nomination' and 'Civil Capacities.' He maintained that the Nomination of Bishops, if not under a Royal 'veto,' at least under 'domestic' and not 'foreign' control, 'was perfectly compatible with the rights of the Roman Catholic Church, was proposed by the Bishops in Ireland themselves in 1799, and already existed in most Roman Catholic countries and in some Protestant ones.' As to Civil Capacities, he contended 'that the State has no right to make partial laws, or disabling statutes, on account of accidental circumstances; nor to punish the operations of the mind, for she has no right to know them; nor again to punish Religion, or that relation which a man holds to his God independently of society.'²

Up rose then, in reply, Sir John C. Hippisley, loaded with the burden of his vast learning, and most painfully conscientious. He was sorely exercised over 'the refusal of the Veto.'³ From two months after the last debate till the present hour, Roman Catholics had 'poured forth most unqualified calumnies regarding this proposal.' Yet it originated with themselves. In January 1799, their ten senior Prelates, *i.e.* the four titular Archbishops and six other Bishops resolved, — 'that such interference of Government, as may enable it to be satisfied of the loyalty of the person appointed, is just,

¹ Hansard's *P. D.* (first series), vol. xvii. p. 17.

² *Ibid.* p. 18.

³ *Ibid.* p. 31.

and ought to be acceded to.' This was practically concurrent with a proposal which had been made to the Prelates of a 'State provision for the Roman Catholic Clergy,' regarding which they had resolved,—'that such provision, through Government, competent and secured, ought to be thankfully accepted.'¹

A Prelate in his 'Elucidation of the Veto' had since described this twofold transaction as 'a commerce of robbery, not less than of sacrilege.'² But, continued Sir John, it was their own 'avowed agent,' Dr. Milner, who communicated these things to their friends who proclaimed them in Parliament. And, even after the news of the debate of May 1808, nothing but glowing 'thanks' came pouring in from the Roman Prelacy ;³ till suddenly, in the month of July, as if orders had come from elsewhere, the tide of abuse and denunciation began to flow. Still, even so late as August 1808, Dr. Milner, in his 'Letter to a Parish Priest,' vindicated the allowance of the Veto to the Executive Government, and scornfully turns upon the Prelates with this question,'⁴—'Do you break faith with the Government? Or is that become false and unlawful now, which was true and lawful in your decisions delivered nine years ago?'⁵ Yet, despite scorn and argument, a Convention of the Prelates at Dublin, on 14th September 1808, resolved,—'That it is the decided opinion of the Roman Catholics of Ireland that it is inexpedient to introduce any alteration of the canonical mode hitherto observed in the nomination of the Roman Catholic Bishops.'⁶

Finally, Sir John wound up a long and very learned review of the transactions betwixt Kings and Parliaments on the one hand, and Popes and Councils on the other, with this memorable declaration,—'It is not the Catholic subject against whom the State seeks to legislate, but against the encroachments of a Foreign Power, not slow in devising

¹ Hansard's *P. D.* (first series), vol. xvii. p. 34.

³ *Ibid.* p. 37.

⁴ *Ibid.* p. 38.

⁵ *Ibid.* p. 42.

² *Ibid.* p. 35.

⁶ *Ibid.* p. 43.

means, nor inactive, as history will show, in carrying them into effect.’¹

When the debate was again resumed, on 25th May 1810, Sir William Scott very pertinently insisted upon Grattan giving them any assurance that his new proposal of ‘Domestic’ Nomination would meet any better treatment from the Roman Catholics than his former ‘Veto.’ In every view it was ‘impracticable and hopeless.’²

Lord Castlereagh admitted that he had ‘looked to the Union to enable the State to adopt a course of greater political indulgence to the Catholics ;’ but he strongly affirmed once more, that it ‘never had been his opinion, nor that of his late right honourable friend, Mr. Pitt, that such concessions could be made without qualifications and restrictions.’³ Being authorised to open communications with the Roman Catholic Clergy, ‘he had received their resolutions passed in 1799, and he now heard with surprise that they had been terrified into these by the Irish Government, and that they now disapproved of the same !’⁴

Mr. Ponsonby, smarting still at being thrown overboard by the Romish Prelates, read a Memorandum authorising all that he had said, and indignantly protested,—‘Why the Catholic Prelates should afterwards have departed from what Dr. Milner and Lord Fingal thought themselves authorised to concede, I do not pretend to know !’⁵

The Chancellor of the Exchequer, paying a left-handed compliment to the honour of these Members, ‘in not grossly and fully imposing on the House,’ warned them ‘against hastily imagining that they could vouch for the opinions of Roman Catholics,’⁶ who will not, who cannot be, ‘satisfied with anything short of the Establishment of their Religion in Ireland,’ and many of whom even that would not satisfy,—

¹ Hansard’s *P. D.* (first series), vol. xvii. p. 50.

² *Ibid.* p. 184.

³ *Ibid.* p. 192.

⁴ *Ibid.* p. 194.

⁵ *Ibid.* p. 219.

⁶ *Ibid.* p. 178*.

'their cure for the grievances of Ireland virtually tending to separation, to Repeal of the Union !'¹

And, finally, Canning once more preached his Gospel of Opportunism, seeing 'no use in agitating the question, without some adequate security, some definite suggestion on the part of the Catholics themselves, in room of that which was tendered by them ten years ago, and which is now publicly withdrawn.'²

The adjourned discussion was once more resumed on 1st June 1810. Mr. Hutchinson, thinking further argument useless, tried a new vein,—'If all the Irish Commoners were Catholics, there would still be 558 Protestant Members against 100 Catholic ! As to the Peers, he admitted considerable difficulty. It would be hazarding much to answer for the consequences of the admission of, say, 7 sturdy, potato-fed Catholic Peers, amongst 16 raw-boned Scotch Lairds filled with oatmeal, and 400 daintily pudding-crammed English Barons !'³

Mr. Henry Parnell differed from the mover, and was 'prepared to vote the prayer of the Petitioners, without connecting any qualification with the Concession.'⁴ Let the Day-star of the Constitution 'arise in their hearts, and all would be peace.'⁵

The Solicitor-General, Sir Thomas Plumer, referring to the cry,—'Trust to the generosity of the Roman Catholics and grant all they ask,'—replied that 'to grant a full participation of political power to those who refuse to acknowledge the *Plenum Dominium*, the entire Sovereignty of the State, would be contrary to the policy and practice of all Ages and Nations ; nor would this "place them on the same footing in all respects as the rest of his Majesty's subjects," but clearly on a different and a better footing than the rest.'⁶

This three days' battle was at length brought to a close. On the vote being taken, the Commons once more rejected

¹ Hansard's *P. D.* (first series), vol. xvii. p. 181*.

² *Ibid.* p. 192*.

³ *Ibid.* p. 235.

⁴ *Ibid.* p. 252.

⁵ *Ibid.* p. 254.

⁶ *Ibid.* p. 286.

the motion, and this time by a majority of 104. There were 109 in favour of sending the Petition to a Committee; but 213 firmly refused even thus far to seem to approve of concession.

It was, therefore, under circumstances of 'peculiar discouragement,' but with unwavering zeal for the cause, that the Earl of Donoughmore, 'the oldest living Parliamentary friend of the Catholic Claims,'¹ stood up in the House of Lords, on Wednesday, 6th June 1810, and moved for sending a duplicate of this same petition to the consideration of a Committee of their Lordships. He was 'ready to have freely given in 1793 all that they now claim.' He admitted that the main objection, if solidly founded, would be fatal and conclusive,—'for who would recommend any measure, the effect of which would be, or could be, directly or indirectly, by any of its remotest consequences now or hereafter, to repeal or weaken any of the provisions of the Act for the settlement of the Crown, or to overthrow those principles which secured our Liberties and our Religion in 1688?'² He denied, however, that the Exclusive Acts, which he analysed, and described as 'framed to meet circumstances that have long since ceased to exist,' formed any part of the fundamental principles of the British Constitution; and proved that, in fact, they had been 'already repealed in two important instances, viz., *In toto*, as to the Irish Dissenters in 1779; and again in 1793, with respect to the Catholics, excepting only the disabilities against which they are now contending.'³

The Earl of Clancarty, declaring that 'the recent conduct of the Irish Roman Catholics had deprived their friends of every argument in their favour, if also friends to the State,' affirmed and argued 'that they asserted in practice what they denied in theory—a power utterly inconsistent with the independence of the State.'⁴ As to conciliation, he instanced the fact of the recent reappointment of Dr. Milner, as the

¹ Hansard's *P. D.* (first series), vol. xvii. p. 354.

² *Ibid.* p. 356.

³ *Ibid.* p. 359.

⁴ *Ibid.* p. 376.

agent of the Titular Prelacy,—‘the man who first authorised Grenville, Grattan, and Ponsonby, to announce that he would cheerfully submit to the Veto of the Crown ;’ and then not only denied he had done so, but wrote to Mr. Coyne ‘that he would rather lose the last drop of his blood than be instrumental to a Non-Catholic King obtaining any power or influence over any part of their Church.’ This is Dr. Milner’s mode of ‘keeping faith with heretics!’¹ Quoting the terms of the Resolution, adopted by the Titular Prelates of Ireland in February last, declaring their right ‘on points of Christian faith and of general discipline, to propose, entertain, and judge, without any Lay intervention whatsoever,’² and showing that the ‘Discipline’ of their Church included many Civil matters, he argued ‘that the assumption of this exclusive power was a direct assertion of temporal authority, to the exclusion of the Throne itself, the Government of the Kingdom, and the very Legislature of the realm.’³ He held, therefore, that ‘till these claims were revoked, it ought to be utterly impossible to proceed one step further’ in the plea for concession.⁴

Eldon urged them to explain ‘what they would do in the Committee,—what they intended to substitute in the room of these sacred outworks and bulwarks of the Constitution thus to be removed?’⁵

And the Earl of Donoughmore replied,—‘If Popery be still formidable, let it be chained ; but chain it to the British Constitution. Secure your Roman Catholic fellow-subjects by cords of interest and ties of affection.’⁶

The vote was then taken. Contents, 68 ; non-contents, 154 ; so that the motion was once more rejected, and by a majority of 86.⁷

¹ Hansard’s *P. D.* (first series), vol. xvii. p. 379.

² *Ibid.* p. 380.

³ *Ibid.* p. 381.

⁴ *Ibid.* p. 381.

⁵ *Ibid.* p. 404.

⁶ *Ibid.* p. 431.

⁷ *Ibid.* p. 440.

SECTION VI

*The Catholic Committee and the Fourth 'Emancipation'
Debate.*

DURING the fifth session of this Fourth Imperial Parliament, the notorious Roman Catholic Committee comes for the first time fully into view. Its ongoings, and those of its successors under various changes of name, are closely interwoven with all this History, and must perforce more or less engross our attention.

The Earl of Moira gave notice, on 18th February 1811, 'that he would call for the Circular Letter of the Chief Secretary for Ireland, by which the Magistracy are directed to put in force an Act of the Parliament of Ireland, of 1793, prohibiting public meetings being held in that country for any Political objects.'¹ The Earl of Liverpool at once agreed; but added another motion to shed some light on the transaction, viz., 'for a copy of the Letter issued and circulated by the Secretary of the Roman Catholic Committee at Dublin.'² And thus, a subject full of explosive materials was launched on the Upper House.

On the same day, in the House of Commons, Mr. Ponsonby was busy laying the train in a somewhat deadly way, giving notice that he would ask, 'Whether, before the step alluded to in that Letter had been resorted to, the pleasure of the Prince Regent had been taken on the subject; and if the documents communicated to the Prince did, in the opinion of Ministers, justify them in resorting to such a step?'³ By this rather sinister way of putting the matter, we learn that George III. had finally gone off to some quiet retreat, incapable even of self-government, and that his son the

¹ Hansard's *P. D.* (first series), vol. xviii. p. 1224.

² *Ibid.* p. 1229.

³ *Ibid.* p. 1240.

notorious Prince George of Wales was now Regent of the United Kingdom. Rumour had up till now been busy with her forecast that he at least was favourable to the Roman Catholic Claims, and here comes this forbidding Circular! Hence the dragging in of the Prince Regent's name so very ostentatiously.

The Chancellor of the Exchequer, Spencer Perceval, who was now also Prime Minister, tartly and independently replied, 'that the Letter was new to him on Thursday last, and its issue, therefore, perfectly unknown to him or his colleagues; but, though the Government of Ireland had thought it necessary to proceed under the authority of the Convention Act, he and his Colleagues in England had no doubt that they had acted with a wise and prudent discretion.'¹

This Circular Letter, signed by the Right Hon. Wellesley Pole, and issued from Dublin Castle, on 11th February 1811, alleged 'that the Roman Catholics in the country were being called together to appoint delegates to act in their behalf as members of an unlawful assembly, sitting in Dublin and calling itself the Catholic Committee; and it required the Magistrates, in pursuance of the Convention Act, 23rd of the King, c. 29th, to cause to be arrested, and to commit to prison, unless bail be given, all persons guilty of giving, or having given, notice of such election and appointment, or of attending, voting, or acting in such election and appointment.'²

The Letter of the Catholic Committee, on the other hand, signed by Mr. Edward Hay, their Secretary, and issued from Dublin, on the preceding New Year's Day,³ set forth that 'he was directed by the General Committee of the Catholics of Ireland, intrusted with the Petition of the Catholic body,—that they were imperatively convinced of the necessity of an increase of their numbers from every part of Ireland,—and

¹ Hansard's *P. D.* (first series), vol. xviii. p. 1240.

² *Ibid.* vol. xix. p. 1.

³ *Ibid.* p. 3.

that they suggested the propriety of appointing "ten managers" from each county, but warned them against breach of the law by appointing any person under the name of "representative or delegate."

In the Upper House, Lord Grenville seriously admitted that, 'if the Catholics had any intent to establish a permanent Convention to represent them, he was sensible of the danger of such an attempt, and would be the first to resist it.'¹ The Earl of Donoughmore denounced the Convention Act as 'equally oppressive and disgraceful.'² But the Lords had no stomach for a fight, and the motion was negatived without a division,' that is, the motion for copies of all the despatches.

In the Commons, on the same 22nd February, the storm raged a great deal more violently, principally because Wellesley Pole was there present, and could be baited in a lively way.³ The Chancellor of the Exchequer resolutely contended that 'had the Convention about to be called been a Protestant meeting, the very same measures ought to have been resorted to. The question was not, if the delegates of 1793 and of 1806 from the nine parishes of Dublin were to be considered as forming a legal Assembly; but whether or not, when this Catholic Committee assumed the authority of issuing their writs to collect together three hundred and twenty additional representatives, under such circumstances, that Assembly, which though illegal had been winked at, should not be taken some notice of, when they proceeded to act in a manner different to what they acted before, and when their proceedings were likely to lead to the most mischievous consequences.'⁴

The motion for the despatches was rejected by a majority of 37; but the subject was by no means laid to rest. Mr. Ponsonby revived it again, on 7th March, by proposing

¹ Hansard's *P. D.* (first series), vol. xix. p. 10.

² *Ibid.* p. 16.

³ *Ibid.* p. 18.

⁴ *Ibid.* p. 41.

an address to the Prince Regent 'to order the despatches to be laid before the House,'¹ and by demanding 'the grounds on which Mr. Chief Secretary Pole had designated the Catholic Committee as an unlawful Assembly.'² The Irish Secretary at length had his innings; and by his story of the Catholic Committee's transactions, not only in preparing the Petition of 1809,³ but discussing the Repeal of the Union in 1810,⁴ and appointing a 'Committee of grievances,' and issuing its Circular Letter in 1811, he seemed so far to satisfy the House, for the motion was rejected by 48 to 133, a majority of 85 in favour of the Government.⁵

The Lords had another fling at the subject, on Wednesday, 27th March 1811, Lord Stanhope in particular 'strongly objecting to the mention of Catholics in the Circular Letter, as the Convention Act applied equally to all without distinction.'⁶ The Lord Chancellor justified the general tenor of the Letter, 'though willing to confess that, in some parts of it, the words were somewhat slovenly put together.'⁷ But again the motion was rejected; though 27 only voted, the Government policy was affirmed by a majority of 15.⁸ And so good-bye to Mr. Secretary Wellesley Pole, interesting to us here only because of the light thrown upon the spirit and proceedings of the 'Catholic Committee,' of which under one or other of its chameleon hues we shall yet hear more than enough.

We must now hasten on to what more directly concerns us, the Fourth 'Emancipation' Debate, which took place during this same fifth session of the Fourth Imperial Parliament.⁹

On 20th May 1811, Grattan once more presented the Catholic Petition, 'praying the House to restore the Catholics of Ireland to the full participation of all the blessings of that Constitution, to the support and defence of which they

¹ Hansard's *P. D.* (first series), vol. xix. p. 269.

² *Ibid.* p. 272.

³ *Ibid.* p. 281.

⁴ *Ibid.* p. 284.

⁵ *Ibid.* p. 321.

⁶ *Ibid.* p. 694.

⁷ *Ibid.* p. 697.

⁸ *Ibid.* p. 700.

⁹ *Ibid.* vol. xx. p. 207.

have so essentially contributed.'¹ On May 31st he submitted his motion,—‘To consider whether it be just and expedient that the existing system of Penal Laws to which Catholics are subject should any longer continue.’² He hotly argued,—‘I call them Penal, for what else is a disqualifying law?’

Sir John C. Hippisley, as charged with the interests of the English Catholics, said that ‘their Petition of last year was signed by eight of the ancient Peers of the realm, by thirteen Baronets, and by upwards of 8000 Gentlemen of the most ancient families and of approved loyalty, including five Roman Catholic Prelates, and nearly 300 of their Clergy.’³ He would ‘prefer to move for the appointment of a Select Committee, to inquire, and to report such facts as might constitute the groundwork of further proceedings.’⁴

Lord Jocelyn very sensibly ‘attributed much of the discontent that prevailed in Ireland, and many of their calamities, to the non-residence of men of property amongst their own tenants.’⁵

The Chancellor of the Exchequer stuck to his cry ‘that toleration might be claimed of right, but not political power; that was a trust to the individual for the interests of the whole.’⁶ And Grattan bitterly retorted,—‘He calls Civil capacity by the name of political power!’⁷

When the vote was taken, there were 146 against 83. The Government had a majority of 63. So little indication was there, as yet, of the approaching victory.

The debate in the Lords was opened by the Earl of Donoughmore, on the 18th June of the same year, and led on to a grave and statesmanlike discussion.⁸ He ‘denied that there could be any bar *in limine* to the consideration of the Petition.’ He dwelt ‘on the spirit of the Treaty of Limerick of 1691, ratified by the Great Seal in 1692, and the

¹ Hansard's *P. D.* (first series), vol. xx. pp. 207-209.

³ *Ibid.* p. 386.

⁶ *Ibid.* p. 418.

⁴ *Ibid.* p. 391.

⁷ *Ibid.* p. 426.

² *Ibid.* p. 369.

⁵ *Ibid.* p. 414.

⁸ *Ibid.* p. 645.

spirit of the Treaty for Legislative Union in 1800,¹ and produced five other titles to favourable consideration, viz., the disclaimers of the Six Catholic Universities, the protest by the Pontiff in 1791, the preamble to the Act of 1778, the Oaths of 1774 and 1793, and the incontrovertible evidence, from every relaxation of the Penal Code, of the conviction of the Legislature respecting the loyalty and trustworthiness of the Irish Catholics.²

Lord Redesdale, grappling with the arguments of the promoters, bluntly declared,—‘that the Treaty of Limerick was made, subject, of course, to the confirmation of Parliament; and besides, that it had been infringed by the other party, the Irish Army having gone abroad and served the enemy; again, as to the Union, that no Minister could ever pledge himself to secure the assent of Parliament, though he might pledge himself to ask its sanction; and, further, that as to a plan of security, the great statesman, Pitt, declared to him a few months before his death that he had no plan, and that he could conceive of no plan whatever, by which a sufficient security could be provided for the Established Church in the event of the Catholic Claims being granted.’³

The Bishop of Norwich, Dr. Henry Bathurst, again enthusiastically pleaded for the Petitioners; and the Lord Chancellor Eldon as warmly opposed them, saying, ‘Explain to me your securities and safeguards, then I will consider and see what can be done, but not till then!’⁴

A majority of 59 indorsed his argument, for there were 62 contents and 121 non-contents; when the strength of numbers was tried. Again we note the fact with surprise, as occurring on the very eve of the first great ‘Emancipation’ victory. As yet there were no signs in the sky.

¹ Hansard's *P. D.* (first series), vol. xx. p. 651.

² *Ibid.* p. 652.

³ *Ibid.* p. 664.

⁴ *Ibid.* pp. 665, 678.

SECTION VII

The Fifth 'Emancipation' Debate.

THE sixth session of this Fourth Imperial Parliament was opened on 7th January 1812, and prorogued on July 30th. It was absorbingly engrossed with affairs in Ireland, and is by far the most memorable as yet reached in the history of the 'Emancipation' Movement.

In form many of the debates bore only indirectly on the Catholic Question, but in substance that question alone lay at the root of every discussion. For instance, Earl Fitzwilliam inaugurated, on 21st January, a great debate on the 'State of Ireland,'¹ and almost every argument from either side hinged on the Catholic Claims, the Catholic Disabilities, the Catholic Committee. The Marquis of Wellesley, elder brother of the warrior, and largely responsible for the Government of Ireland, protested that 'the right of petitioning, that great Constitutional privilege, had never been called in question; but that even that exalted privilege must be exercised according to law, and in Ireland according to the law of Ireland.'² The debate was long-drawn, and full of sustained interest. The House rose not till half-past six o'clock in the morning, having vindicated the Government by a majority of 83. The contents were 79, and the non-contents 162. The tide of Protestant opposition was still to all appearance full in flood.³

The same subject, the 'State of Ireland,' was brought under discussion in the House of Commons, on 3rd February 1812, and gave rise to a magnificent debate, on some of the speeches of which we would fain linger, but space forbids.⁴

¹ Hansard's *P. D.* (first series), vol. xxi. p. 408.

² *Ibid.* p. 431.

³ *Ibid.* p. 477.

⁴ *Ibid.* p. 494.

Sir John Nicholl, particularly, put in a strong plea 'for guarding our use of terms; such as "Catholic Emancipation," as if they were now in slavery; or "Civil and Religious Liberty," as if there were conflicting opinions on that subject. So with the cry, on the one hand, "No Popery," and, on the other, "Church in Danger,"—these are the cries of malignant prejudice.'¹

The only true ground, according to Sir John, on which we could fairly meet is,—'Can these concessions be made with safety to the Constitution?'² The true question 'was, not whether the Catholics were loyal, but whether they shall unconditionally share in every part of political power?'³

Now, passing by all other questions, he asked,—'Are these changed,—the *political tendency* of the Roman Catholic Religion to arbitrary power and intolerance; and its *leading characteristics*, the domination of the Priesthood over the flock, and the authority of the Pope over the Priesthood?'⁴ If not, while they exist, can the Catholic Claims be safely granted?'⁵

And Sir John Nicholl closed his argument, declaring—'Protestants here have the ascendancy, have it justly, not only by the laws of the Constitution, but as being four-fifths of the population of the Empire. They use it mildly and moderately. They maintain full toleration. Under this ascendancy the greatest blessings have been enjoyed by the Nation. It is their right, nay, it is their duty, not to risk the loss of that ascendancy.'⁶

Canning once more tried to inoculate the House with his opportunism—'not prepared for immediate and unlimited concession, and the present was not a favourable moment for any concession at all.'⁶ He was astonished to find that a strenuous advocate of the Catholic Cause had given notice of a motion for the 'Repeal of the Union.' He might as well

¹ Hansard's *P. D.* (first series), vol. xxi. p. 500.

³ *Ibid.* p. 504.

⁴ *Ibid.* p. 505.

⁵ *Ibid.* p. 513.

² *Ibid.* p. 502.

⁶ *Ibid.* p. 515.

talk of 'Restoring the Heptarchy!'¹ Whereat we smile again, as at the unexpected appearing of a familiar friend. In these closing years of our century, how often has this phrase done service in the fiery 'Home Rule' controversies!

Peel agreed with Canning 'that the most expedient mode of procedure would be for the Roman Catholics to petition the Crown,' and get the question taken up by the Executive Government as of vital interest to the safety of the Empire.²

Wellesley Pole, drawing mercilessly upon his official resources, laid the whole history of the 'Catholic Committee' and its doings voluminously before the House, which left the Lord Lieutenant no alternative but to issue his 'proclamation,' and enforce the law which was being openly defied.³ He exhausted the day and the audience, and the debate was adjourned till next afternoon, Tuesday, 4th February 1812.

Mr. Henry Parnell then defended the 'Catholic Committee, which had existed, in a succession of delegated Committees, from 1753 downwards, and all of them recognised by successive Administrations.'⁴

The Chancellor of the Exchequer 'held that, looking at the Constitution of the Catholic Convention and its recent proceedings, even if no such law as the Convention Act had been in existence, it would have been the indispensable duty of the Ministers to have proposed to the Legislature the immediate adoption of some similar provision.'⁵

When Grattan rose, the clock struck four on Wednesday morning. He 'remembered when that Convention Act was passed, and had voted against it, as casting reflections on some of the proudest and greatest periods of our history, making the very Revolution itself unlawful.'⁶

But the policy and action of the Government were still approved by Parliament. The majority in their favour was

¹ Hansard's *P. D.* (first series), vol. xxi. p. 530.

² *Ibid.* p. 550.

³ *Ibid.* p. 564.

⁴ *Ibid.* p. 630.

⁵ *Ibid.* p. 662.

⁶ *Ibid.* p. 665.

94¹ The motion was supported by 135, but resisted by no less than 229. The House had held well together, and only poured into Palace Yard at half-past five o'clock in the morning, when the tide of city life had already begun to flow.

The months of March and April, 1812, were crowded with petitions, questions, and discussions, all bearing on the Roman Catholics of Ireland ;² but we may not linger among these preliminary skirmishes, for, on 20th April, the Earl of Donoughmore, 'in room of the Earl of Ormonde, absent through sickness,' presented to the Upper House the 'General Petition of the Roman Catholics of Ireland,'³ and gave notice of his motion for the following day, which inaugurated the Fifth Emancipation Debate.

The Petitioners, travelling over much of the same ground as on former occasions, particularly affirmed 'that they had no latent views to realise, no secret or sinister objects to attain ; they seek not the possession of offices, but eligibility to office, not power or ascendancy over any class of people, but permission to rise up from their prostrate posture, and to stand erect within the Empire.'⁴

Bundles of other local petitions were also at the same time presented ; and, in the House of Commons, Mr. Elliot presented the 'Petition from the Roman Catholics of England,' the same as that by Mr. Windham in 1810.⁵ At this time, by far the greater number of these Petitions were 'in favour' of concession, being almost exclusively as yet from the Roman Catholics themselves. Others, perchance, 'reposed' too confidently in the Protestant spirit of Parliament, and of the Ministry so far as hitherto expressed.

The Earl of Donoughmore led off the Debate in the Lords, on 21st April 1812. He moved 'for a Committee on the Civil Disabilities of Roman Catholics.' The discussion

¹ Hansard's *P. D.* (first series), vol. xxi. p. 669.

² *Ibid.* vol. xxii. p. 400.

³ *Ibid.* p. 452.

⁴ *Ibid.* p. 457.

⁵ *Ibid.* p. 478.

raged on all through the night, the Lords not dispersing till next morning at five o'clock. The Earl persisted in 'at all times placing this question on the strong ground of Constitutional Rights.'¹ He took his stand on the Act of 1793,—'An authoritative proof that the persons on whom it conferred the Elective Franchise were worthy of perfect confidence as the assured Members of this Protestant State.'²

After many arguments and appeals, joined in by H. R. H. the Duke of Sussex, Lord Redesdale, the Marquis of Wellesley, and others, the Earl of Liverpool firmly rejoined, 'that in the present temper and disposition of parties to go into Committee would only alarm and disappoint.' In closing, he 'entreated Noble Lords to consider upon what principle they could justify the limitation of the Crown to a Protestant, if this question as of right can be admitted.'³

The next name in the debate comes upon us with a shock of surprise. Lord Byron appeared for once in the Upper House, and broke a lance with his Peers. His speech was very characteristic alike in brilliant force and in recklessness:—'It is not the time, say some; I concur with those who say the time is past!⁴ . . . Remember the words of the great Lord Peterborough, "that he was for a Parliamentary King and a Parliamentary Constitution, but not a Parliamentary God or a Parliamentary Religion," and leave off those frivolous cavils, those Lilliputian sophistries. When I consider your Emancipation of slaves, I pity the Catholic peasantry for not having been born black!'⁵

Lord Grenville again fell back on the plea of uncontrollable necessity,—'these people must be received as fellow-citizens; or if we really believe them irreconcilable enemies we must resolve to exterminate them!'⁶

The Lord Chancellor keenly retorted,—'If you are of that

¹ Hansard's *P. D.* (first series), vol. xxii. p. 516.

² *Ibid.* p. 517.

³ *Ibid.* pp. 628, 640.

⁴ *Ibid.* p. 642.

⁵ *Ibid.* p. 643.

⁶ *Ibid.* p. 679.

opinion, why delay for a Committee? Bring in your bill at once.’¹

The Peers voted at five o’clock in the morning of Wednesday, 22nd April, and once more rejected the motion, now by a majority of 72. The contents were 102, the non-contents, 174,—not a bad count for that unearthly hour!²

The very next day, 23rd April 1812, the unending battle was resumed by Grattan in the House of Commons. Many petitions for and against had been occupying their attention, and he, founding on the ‘General Petition,’³ moved for a ‘Committee on the Civil Disabilities of the Roman Catholics.’ The question was thus changed,—‘no longer asking a Committee to consider the Petitions, but to revise the Laws.’⁴ Admitting the right of the State to touch Religion where it tends to disaffection, he cried,—‘But here we have only proofs of allegiance, I see only three petitions against the Catholics!’⁵ He predicted that the day of their refusal, the disqualification of the Roman Catholics, ‘would be the beginning of Britain’s doom;’ by that, I mean the ultimate separation of Ireland, either in fact or in disposition; and you may write this epitaph,—‘England died, because she taxed America, and disqualified Ireland.’⁶

Dr. Duigenan, ‘that gentle apostle,’ as Byron called him, spared no arrows in his reply: ‘For God’s sake, do, gentlemen, consider who are the people that call to us for “Religious Liberty!” The most intolerant sect that ever was on this earth, in the profession of any Religion, in any country!’⁷ Rising in fervour, through a long and fiery argument, he at length demands,—‘Will you sacrifice the interests and happiness of thirteen millions, and pull down the venerable fabric of the British Constitution, to satisfy the ambitious desires of two and a half millions, whose spiritual and political opinions

¹ Hansard’s *P. D.* (first series), vol. xxii. p. 690.

² *Ibid.* p. 703.

³ *Ibid.* p. 723.

⁴ *Ibid.* p. 728.

⁵ *Ibid.* p. 731.

⁶ *Ibid.* p. 735.

⁷ *Ibid.* p. 746.

persons of the soundest judgment and deepest knowledge in law pronounce to be dangerous to the State?'¹

He discharged his final shot by calling the attention of the House to the Pontifical Oath, in which Bishops and Clergy swear allegiance to the Pope, and which contains these suggestive and sinister words, *Hereticos persequar et impugnabo*; and then exclaiming, 'yet these are the Clerics who are now making such an outcry about Religious Liberty.'²

Sir John C. Hippisley, again great in documents and in history, argued that, 'from the period of the Conquest³ at least, our Catholic ancestors did think it incumbent on them, and such also has been the course invariably adopted by every other State, to provide effective barriers against the possible encroachments of a Foreign Papal power.'⁴ And, as to the Popish Plot, he warned them in the words of the poetic aphorism—

‘Succeeding times did equal folly call—
Believing nothing, or believing all!’

The debate was adjourned at two o'clock in the morning of Friday, April 24th, and resumed duly in the afternoon of that same day. The Right Honourable Charles P. Yorke 'had no objection to sit in the British Parliament with a man who worships the Virgin Mary, provided he abjures the Supremacy of the Pope of Rome. Why, if after all they are determined to have a Pope, in the name of God let them have an English Pope, or an Irish Pope; and he might reside at Ballyshannon, or anywhere else they please, so he be but a British Subject, and then we can begin to talk of the matter!'⁵

Then, for the first time in the present History, a certain Henry Brougham stepped upon the stage of this controversy, whose name shall long echo within Parliamentary walls.

¹ Hansard's *P. D.* (first series), vol. xxii. p. 757.

² *Ibid.* p. 758.

³ For period *before* the Conquest, *v.s.* pp. 4-7. (vol. i.)

⁴ Hansard, *u.s.* p. 778

⁵ *Ibid.* p. 890.

He appealed to the Oaths and Declarations which the laws enjoin, as giving 'all the safeguards that swearing and declaring can give;' and maintained 'that we may either, in perfect safety, take the further step of concession, or else we have already gone many steps too far.'¹

Mr. J. Leslie Foster anticipated that if 100 Roman Catholic Members sat in that House and felt baffled in their ulterior aims, *the cry of Repeal would at once be raised*,—'It is easy to say that England will never assent, yet it is not easy to say what 100 determined Members in this House, backed by the cry of millions outside, might not be able at some critical moment to effect; and I know not which would have most cause to rue that day, the Protestants of Ireland, or the Empire of Britain!'²

The Chancellor of the Exchequer concluded that 'no other inference could be drawn from the mysterious silence respecting all securities, than that gentlemen knew they had nothing to propose that would either be accepted by the Roman Catholic, or endured by the Protestant.'³ Lord Castlereagh 'could not understand on what principle the Catholics, even for their own credit, had come to Parliament again. Will they refuse to do that which, if they were subjects of a Catholic State, they would be compelled by law to do, before they could be admitted to the privileges of Citizens?'⁴ And Canning, still resolute as to the necessity of securities, exclaimed,—'My efforts, for one, in the cause of my Roman Catholic fellow-subjects, are at an end, *if the overthrow of the Established Church can be shown to be the necessary or natural consequence of their success*.'⁵

It was now half-past six o'clock on Saturday morning. The House was still crowded. There voted 215 ayes, and 300 noes. 'Emancipation' seemed as far off as ever, with a heavy majority against it of 85.⁶

¹ Hansard's *P. D.* (first series), vol. xxii. p. 892.

² *Ibid.* p. 928.

³ *Ibid.* p. 967.

⁴ *Ibid.* p. 1004.

⁵ *Ibid.* p. 1025.

⁶ *Ibid.* p. 1039.

SECTION VIII

The Sixth 'Emancipation' Debate

THIS terrible sixth session of the Fourth Imperial Parliament has still three months of its course to run; and, incredible as it may seem, another great debate on the 'Catholic Question' immediately summons our attention. Canning gave notice, on 6th May 1812, that he would 'move a humble address to His Royal Highness the Prince Regent, to take into his consideration, during the Recess, the nature and extent of such securities, as might be necessary to fence the Established Church, in case of any further Concessions to the Roman Catholics, should that be deemed advisable and expedient.'¹

He indicated May 28th for the discussion. But long ere that day came round, a mighty sensation startled the House and thrilled the Country.² At first, it was popularly connected with the 'Emancipation' frenzy, and fanned the already blazing flame of religious passion. On 11th May, the shot of a pistol resounded through the lobbies. A noise of scuffling and of feet running hither and thither arrested every ear. An officer rushed towards the Bar, and exclaimed,—'Mr. Perceval is shot! Mr. Perceval is shot!'

As the Peers were rushing out and in, at last the Lord Chancellor 'announced the melancholy and atrocious event.' And they fell back, even in that moment of awe, on those 'forms' which are the sane barriers against irrational passion. The Duke of Cumberland 'made a solemn statement from his place.' Taylor, one of the door-keepers from the House of Commons, was summoned and formally examined. And the record being completed, they then 'found that they had grounds for an Address to His Royal Highness the Prince

¹ Hansard's *P. D.* (first series), vol. xxiii. p. 55.

² *Ibid.* p. 161.

Regent,¹ which was there and then presented by Lords appointed for the purpose.

In the other House, Brougham made the formal statement,—‘that while he was examining a witness, in a Committee in the House, on “Orders in Council,” and Mr. Stephen was cross-examining, at a quarter past five, a pistol shot was heard.² A rush was heard between the door and the Bar, amid cries of “order!” Mr. Perceval, on entering the House, had been shot at the side of the door leading from the stone staircase. He staggered and fell at the feet of William Smith. On being conveyed to the Speaker’s room, he was found to be dead. The ball had gone through his heart. On the cry, “Where is the villain?” one answered—“I am that unfortunate man. My name is Bellingham. It is for a private injury. I know what I have done. It was for a denial of justice on the part of the Government.”’³

The House thereon summoned him to the Bar. Thence he was ordered to the Prison room,—‘taken through private avenues round the House,’—and arrangements were made for Magistrates to receive the evidence of witnesses. We need linger no longer on this miserable creature. A despatch was by-and-bye submitted from Lord G. Leveson-Gower, late Ambassador at the Court of St. Petersburg, from which it appeared that the assassin Bellingham had some craze against the Government ‘for refusing to compensate him for injuries and oppressions which he states himself to have suffered in Russia.’⁴ Even religious, or rather irreligious, malice could not manage to connect this butchery with the Roman Catholic agitation, though some disreputable attempts were made to do so.

Next day the Prince Regent sent a message to the Lords, as to providing for the Perceval family. The Lord Chancellor ‘broke down in reading it, through grief and

¹ Hansard’s *P. D.* (first series), vol. xxiii. p. 164.

² *Ibid.* p. 165.

³ *Ibid.* p. 166.

⁴ *Ibid.* p. 240.

agitation.¹ It had to be finished by the clerk at the table, endowed with less emotion or more power of face! The House of the Commons was the scene of 'the most melancholy and the most crowded spectacle ever witnessed.' Lord Castlereagh read the Prince Regent's message; and when he came to the part about 'affording relief and assistance to his numerous and afflicted family,'² he too gave way, and 'sat down in tears,' amidst 'the loud condolences and strong sympathy of the House.'³

Spencer Perceval had not personally profited by his public opportunities. He died poor, and left a widow and twelve children unprovided for. He had been a hard hitter, but transparently sincere and genuine in all his conflicts. So there was no sound of dissent when the House 'set apart £50,000 to be vested in Trustees,' and agreed that 'an Annuity of £2000 be payable to the widow for life.'⁴ Nay, finally, it was decided, on the motion of Mr. Huskisson, 'that £1000 per annum be granted to the eldest son, and that, after his mother's death, it take the form of an annuity of £2000.'⁵ This new proposal created a division, but was carried by 173 votes against 26. Many of the men voting plainly denied all sympathy with Perceval's 'political' services, but none questioned his honour or his worth. And all alike displayed the consciousness that there is something deeper than politics, and that is character—something grander than sect or party, and that is God and Country.

All through May references to the burning Catholic Question crowd every page of the Journals, until, answering a question as to the policy of the Administration, and preparing the way for the great approaching discussion, we find Lord Castlereagh intimating, on 10th June,⁶ 'that it had been resolved upon as a principle that the discussion of this question should be left free from all interference on the part

¹ Hansard's *P. D.* (first series), vol. xxiii. p. 168.

² *Ibid.* p. 171.

³ *Ibid.* p. 174.

⁴ *Ibid.* p. 194.

⁵ *Ibid.* p. 222.

⁶ *Ibid.* p. 394.

of the Government, and that every member of the Government should be left to the free and unbiassed suggestion of his own conscientious discretion.'¹

And now we have reached 22nd June 1812, on which day George Canning inaugurated the Sixth 'Emancipation' Debate, which formed an epoch in the history of this movement.² His motion was, 'That the House will early, in next Session of Parliament, take into its most serious consideration the state of the laws affecting his Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of this United Kingdom, to the stability of the Protestant Establishment, and to the general satisfaction and concord of all classes of his Majesty's subjects.'³

Canning rested his argument on such principles as these — 'that citizens of the same State are entitled *prima facie* to equal Political rights and privileges;⁴ that it is at all times desirable to create the most perfect identity of interest and of feeling amongst members of the same community; and that, when there exists in any country a great and permanent cause of Political discontent, it becomes the duty of the Sovereign Power in that State to determine in what mode it may most advantageously be set at rest.'⁵

Having thus laid down his principles, Canning traced historically 'the relation of this country to the Roman Catholics since the Revolution.'⁶ From 1688 down to the Accession of his present Majesty in 1760, the system of the Penal Laws was matured. From 1760 to 1774 that system was complete and stationary. Every step, however, since 1774, has been an innovation.'

And then he asked, — 'Now, on what ground has every one of these relaxing steps been taken? What but this, — that, in

¹ Hansard's *P. D.* (first series), vol. xxiii. p. 395.

² *Ibid.* p. 633.

³ *Ibid.* p. 667.

⁴ *Ibid.* p. 635.

⁵ *Ibid.* p. 636.

⁶ *Ibid.* p. 641.

every stage of our preceding history, *not religious truth but political disaffection* was the cause of severities against the Catholics,—that the Penal Code was not intended to exclude the believers in Transubstantiation as a sect, but to repress or disarm, or punish them as traitors and rebels? The time, which Justice Blackstone had predicted, had at last arrived for “reviewing and softening these rigorous edicts.” Canning then quoted the ‘Parliamentary testimony’ to the character and loyalty of Roman Catholics, from the preamble to each of the relaxing statutes, beginning with 1774 and ending with 1793. And, answering the charge that there was ‘something in the Genius of Romanism which can never become reconciled to a Protestant State,’¹ he again emphatically declared,—‘If I could be made to think that, by taking one more step we should destroy the Protestant Institutions, and establish in their stead a Roman Catholic Hierarchy, and the Roman Catholic Ascendency in Church and State, *most assuredly I would stop where we are!*’²

Mr. Matthew Montague moved an ‘amendment’ in the negative,—‘because the Catholics demanded unconditional Emancipation; and because it required more strength to keep the door half open, than to keep it close shut.’³

Mr. Henry Parnell defined the practical influence of the Pope as extending only to three points, and declared that no security was required thereanent, viz., ‘Marriage, requiring a special dispensation from degrees nearer than that of first cousin; appeals from the Clergy, a purely *forum domesticum*, that never could concern the State; and appointment of Bishops, which was entirely nominal, the Irish Bishops, in fact and in practice, filling up the vacancy even to installing and consecrating, leaving only the “instituting” to the Pope.’⁴

Sir John Nicholl ‘refused to advance one step till the plans for security were disclosed. They were walking blindfold

¹ Hansard's *P. D.* (first series), vol. xxiii. p. 648.

² *Ibid.* p. 658.

³ *Ibid.* p. 680.

⁴ *Ibid.* p. 681.

to the edge of a precipice. His one counsel was—Beware of bandages!’¹

Grattan characterised the motion in one sentence, ‘It was a motion of concord! The adopting of it would be voting themselves ONE PEOPLE.’²

Sir John C. Hippisley, commending the ‘regulations’ so often noticed, as ‘sanctioned by the wisdom and policy of almost every State in Europe, and found in their Municipal Code,’ again proclaimed, ‘It was not the Catholic against whom the barrier was to be raised.’³ It was against an *exterior power*, which, if excited as at former periods, might be highly injurious to, if not destructive of, the Liberties of Catholic and Protestant alike.’⁴

The vote was then taken. To the surprise of the House and the Country, the Emancipation Movement won its first, and one of its most signal victories by a sweeping majority of 129.⁵ The noes only counted 106; the ayes were 235. The form of the proposal, ‘to take into consideration the state of the laws,’ the fact that it was to come into effect only ‘next session,’ and the further fact that this Parliament had almost run its course and must soon appear before the Constituents throughout the country,—these facts, if not any genuine reversion of opinion, enabled the House most thoroughly to turn its back upon all its former decisions, and to declare, with no uncertain voice, in favour of at least ‘conditional’ Emancipation.

Scarcely less remarkable was the revolution of opinion, or at least of votes, in the House of Lords.⁶ Considering all things, perhaps the majority of 1 against the same motion there was more wonderful than the majority of 129 in the Commons in favour of it.

On the very next day, June 23rd, the Marquis of Wellesley gave notice that he would ‘move’ there in similar terms to

¹ Hansard's *P. D.* (first series), vol. xxiii. p. 685.

² *Ibid.* p. 692.

³ *Ibid.* p. 701.

⁴ *Ibid.* p. 702.

⁵ *Ibid.* p. 710.

⁶ *Ibid.* p. 868.

Canning's proposal, and Earl Grey that he would support it.¹ On July 1st the debate began in earnest on the 'Political Disabilities of the Roman Catholics.' The Marquis justly mocked at the inconsistencies of their present system, — 'Roman Catholics in England disabled from voting, in Ireland free to vote;² again, in Ireland itself, admissible to certain Civil offices, excluded from others; enrolled in Army and Navy, but, at a certain point, cut off from all promotion; in Scotland, also, since 1793, admissible to all offices, Civil or Military, but still liable to prosecution for even the exercise of their Religion; such is the strange and monstrous anomaly of our present system!'³

Lord Eldon, the Chancellor, keenly retorted 'that the motion of the noble Marquis was for 'consideration;' but that 'the whole of his argument went not to the necessity of consideration, but to the necessity of concession!' The authority of Blackstone, 'quoted so frequently in favour of unqualified concession, would, if quoted impartially, go to a modification of the provisions against Roman Catholics, but no further than a modification, so long as they acknowledged a Foreign Sovereign in Spiritual or in Temporal matters.'⁴

When the vote was taken on the amendment, there were contents, 126; and non-contents, 125; that is to say, the 'previous question'⁵ was carried by the narrow majority of 1! Parliament rose by prorogation on 30th July. Without waiting to face another Session, with this Resolution hanging round their neck, the Ministry advised, and the Sovereign accepted, a fresh appeal to the Country. On 29th September, the Parliament was formally dissolved.

¹ Hansard's *P. D.* (first series), vol. xxiii. p. 712.

³ *Ibid.* p. 819.

⁴ *Ibid.* p. 837.

² *Ibid.* p. 818.

⁵ *Ibid.* p. 808.

SECTION IX

The Seventh 'Emancipation' Debate

THE Fifth Imperial Parliament began its sittings in November 1812, and was only dissolved within a few months of its full septennial career, that its successor might assemble in 1819.¹ It witnessed at least five 'Emancipation' debates, and had also the distinction of making the first attempt to settle the Catholic Question in the form 'of a Relief Bill.' Then also happened the proposal of a series of 'Resolutions'—a favourite plan, in later days, for carrying vast schemes by a sort of Parliamentary *brevi manu*, leaving the worry of details to time and chance. Further, it was during this same period that what we formerly knew as the 'Catholic Committee,' extinguished to serve a purpose, or rather submerged by its creators for a season, again rose up in full life as the 'Catholic Board,' and challenged the attention of Parliament and of the Country. Finally, the general reader will scarcely fail to observe that, right in the middle of this Section of our History, was enacted the Great World-Tragedy of Waterloo in 1815.

The heart throbs to turn aside and look on these thrilling scenes. The pen would fain tell how Sir Arthur Wellesley, coming now to be known as Wellington, pitted the genius of patience, of bull-dog tenacity, of invincible principle, and of unquenchable patriotism, against the demon-genius of Napoleon; and how the latter went down in the long-drawn struggle, despite all his Satanic force, and all his inspirations from Hell. We must, however, bow to the imperative exigencies of space, already overtaxed, and pass in silence not only these themes, but many by far more fascinating to

¹ Hansard's *P. D.* (first series), vol. xxiv. p. 1.

us, with the rise and progress of which this Nineteenth Century is glorified amidst all the annals of the world.

During the latter weeks of 1812, and the earlier days of 1813, the tables of both Houses of Parliament were literally loaded with countless petitions, alike for and against the Roman Catholic Claims.¹ Indeed, the greater portion of the time of Parliament was consumed in hearing them read, and in the irregular 'debates' to which they incidentally gave rise. But, on 23rd February 1813, Grattan began the Seventh 'Emancipation' Debate, which proved, in some respects, one of the most amazing in the records of Parliament.² It was opened, on Tuesday afternoon, and adjourned at half-past two on Wednesday morning. It was resumed on Friday, and again adjourned at two o'clock on Saturday morning. It was resumed on Monday, and again adjourned at two o'clock next morning. Finally, it was resumed on Tuesday, and closed at four o'clock on the morning of Wednesday. Here we can find space for only a few hurried glimpses at vital points in the argument.

Grattan admitted that the Petitions now against the Roman Catholic Claims were 'numerously and very respectably signed.'³ In a lofty and impassioned appeal he re-travelled all the familiar ground, and 'moved that the House should go into Committee agreeably to the Resolution of last session.' But, that they might not do so blindfold, he read the following Resolution which he would there submit as the basis of the coming Relief Bill,—'That, with the view to such an adjustment as may be conclusive for the peace, strength, and security of the English Constitution, and the ultimate concord of the British Empire,⁴ it is highly advisable to provide for the removal of the Civil and Military disqualifications under which his Majesty's Roman Catholic Subjects at present labour: making full provision at the same time

¹ Hansard's *P. D.* (first series), vol. xxiv. pp. 111-734.

² *Ibid.* pp. 747-1072.

³ *Ibid.* p. 748.

⁴ *Ibid.* pp. 762-763.

for the maintenance and security of the Protestant Succession to the Crown, according to the Act of Limitations, and for preserving inviolable to the Protestant Episcopal Church of Great Britain and Ireland, and the Church of Scotland, the doctrine, discipline, and government as by law established.'

Plunkett, destined to win his spurs and his Peerage in this fray, then showed¹ the quality of his blade by skilfully cutting and carving the robe in which the opponents had clothed themselves—a robe of glaring and outrageous Inconsistencies,—'They must show why it is that the Roman Catholic may vote for a Member of Parliament, and yet may not himself be a Member ; why he may be the most powerful and wealthy subject in the realm, and the greatest land proprietor, and yet may not fill the lowest office in the meanest town on his own estates ; why he may be the first Advocate at the Bar, and yet incapable of acting as one of the Counsel of his Sovereign ; why he may be Elector, Military Officer, Grand Juror, Corporator, Magistrate in Ireland, yet none of these in England, where the causes of apprehension are comparatively trifling and insignificant !'²

The Right Hon. Charles Yorke, after a learned and original discussion of all the issues raised, called upon the House to remember that the Roman Catholic pretensions approach us under a mask with two faces—(1) the *Religio Laici*, the Catholicism of those who care very little about these dogmas, or about the Pope's Supremacy ; and (2) the *Religio Cleri*, the Catholicism of those who conscientiously adhere to all the tenets and principles of the Church of Rome.'³ He proved, then, by modern instances, and by quotations from Maynooth text-books, 'that the Romish Clergy continue to possess and to practise a very powerful and mischievous influence over the Laity ;' as, for instance,

¹ Hansard's *P. D.* (first series), vol. xxiv. pp. 795-820.

² *Ibid.* p. 800. ³ *Ibid.* p. 823.

1. the transactions over the Mitford Act in England, 1789-90,—the conflict over the terms of the Oath between the Apostolic Vicars and the Catholic Committee,—and, finally, the Veto on Nomination of Bishops.¹

Then scornfully tearing to pieces the hollow talk about 'Slavery' and 'Emancipation,' he exclaimed,—'It requires no small share of patience to listen to those who, complaining of the slavish restraints of our British Protestant Institutions, continue passively and slavishly to submit their necks to the yoke of a Foreign spiritual tyranny,² such as all history has proved it to be! to hear them crying out for "Emancipation," forsooth, from the Bill of Rights and the Acts of Settlement, and paltering with their allegiance to the House of Brunswick, while they fall prostrate before the decrees of the Councils of Lateran and Trent, and tremble at the "Bulls" and "Rescripts" of some miserable Italian or French prelate!'³ When he closed, it was half-past two o'clock in the morning, and the debate stood adjourned.

Being resumed on Friday, 26th February, the learned Sir John C. Hippisley once more poured the stores of his vast knowledge upon a less and less appreciative Assembly. He controverted the interpretation 'that had been given of the events of 1789;' and informed the House that the original "Protestation," signed by 14,000 Catholics, now lay 'in the British Museum'⁴ for the delectation of all antiquarian souls; and, further, that 'only one of the Vicars-Apostolic' had withdrawn his name. The debate raged on again till one o'clock on Saturday, and once more stood adjourned.

When it was resumed on Monday, Mr. Secretary Peel entered the arena, and, for the first time in this conflict, deliberately unsheathed all his weapons.⁵ The genius and statesmanship of Robert Peel effectually held the fort against all comers for the next sixteen years; and the fort was at last

¹ Hansard's *P. D.* (first series), vol. xxiv. p. 828.

² *Ibid.* p. 831.

³ *Ibid.* p. 832.

⁴ *Ibid.* p. 850.

⁵ *Ibid.* p. 900.

taken, only when he came down and faithlessly surrendered the keys. We must try to understand his position, alike in the long defence and the swift surrender; for in both assuredly his supreme brain was the guiding force.

Grattan had said that the Catholics 'petitioned for the Ascendency of the Law, and the Protestants for the Ascendency of a Sect.' Peel almost fiercely rejoined,—'Of a sect! To what sect do we belong? To the Protestant Religion as by law established? To what laws do we adhere? To those under which this Empire has lived and flourished for ages! We are satisfied with them. Let those who seek a change prove its necessity.'¹

Laying hold of the principles that really underlay all arguments for Concession, and showing their inevitable consequences, Peel flashed on them with this prediction,—'I have little doubt that the time will come when these arguments will be used, *and used successfully*, for the admission of a Roman Catholic Prince to the Throne, if we now admit the eligibility of the Catholics to Office, and to Parliament.'² The historian cannot refrain from marking with emphasis this remarkable, intellectual, and logical forecast. Peel himself never attempted to face it, when at length he did admit this so 'fateful eligibility.' We have lived to hear and see his own action 'used' by others, to fulfil his own prophecy about admitting a Roman Catholic Prince to the Throne. Not yet so far 'successfully.' Does that word, too, however, only await fulfilment? or shall this Nation be saved from that brink of doom over which the Modern Reaction threatens to plunge us,—and to warn against, and to avert which this History has been written and published? We can but do our duty. The issues are with God, whether in mercy to rescue, or in justice to let retribution fall.

Viscount Palmerston 'protested' against the Catholic Claims being considered at all on the ground of Right, and

¹ Hansard's *P. D.* (first series), vol. xxiv. p. 908.

² *Ibid.* p. 911.

argued for putting the question entirely on the ground of Expediency.¹

By-and-bye two o'clock in the morning was once more reached, and the Debate again stood adjourned. It was resumed on Tuesday, 2nd March, and raged on with unflagging enthusiasm till four o'clock in the morning of Wednesday.²

Mr. Parnell, now for the first time in these Journals met with as 'Sir Henry,'³ set himself from many documents to 'prove that the petitioners abjured certain tenets that were ascribed to them.' Gothe's 'Vindication' cursed, on the first day of Lent, 'every goddess-worshipper, who believed the Virgin Mary to be any more than a creature,' and every one who believed 'that the Pope can give to any a dispensation to lie or to swear falsely;' and he affirmed 'the King-killing doctrine to be damnable and heretical.'⁴

Canning courageously declared 'that he felt as much indignation as man could at the conduct and temper which the Catholics had in too many instances lately exhibited.'⁵ As to Mr. Yorke's appeal to Catholics to renounce the tenets of their Religion, he compared it to Pope's 'Attosa'⁶—

'She hates you while you live ;
But die, and she'll adore you !'

He refused 'to recur to the perpetual question, What will the Catholics agree to? Let Parliament enact, and the Catholics must obey !'⁵ Touching upon the origin and justification of the Penal Laws, and maintaining that the circumstances out of which they came had now and for long ceased to exist, he exclaimed,—'To continue these enactments against Transubstantiation,⁷ when it is no longer, as it once was, a symbol of dangerous Politics, is as absurd as if, having had occasion to advertise a runaway felon, and to describe him by his red hair, you should thereafter forget that it was the felony which

¹ Hansard's *P. D.* (first series), vol. xxiv. p. 972.

² *Ibid.* pp. 985-1072.

⁵ *Ibid.* p. 1043.

³ *Ibid.* p. 986.

⁶ *Ibid.* p. 1049.

⁴ *Ibid.* p. 997.

⁷ *Ibid.* p. 1050.

constituted the crime, and should, in all time to come, consider the red hair as a capital offence.'¹ Saying that, for himself, he would except from these concessions all Ecclesiastical Offices, the Lord Chancellorships, the Lord-Lieutenancy of Ireland, and, 'perhaps,' the office of Commander-in-Chief,² in which we see the forecast of Peel's final measure, he loftily concluded thus: 'But as to the principle of the *Concordat*, as to that plan, the plan of consulting the Pope at all, of negotiating with him, with a Foreign Power, on behalf of the subjects of the Crown,—I most decidedly object.'³ This also was the boast of Peel in his Relief Bill of 1829.

While the noble and statesmanlike eloquence of Canning was still ringing in their ears, the vote was taken at four o'clock on Wednesday morning. The Fifth Parliament confirmed the resolution of the Fourth, but by a greatly reduced, yet still respectable, majority. There were 224 against 264, carrying Grattan's motion by 40.

SECTION X

First Roman Catholic Relief Bill.

OUT of the debate and vote arose the first attempt at a Roman Catholic Relief Bill. There were seven in all before the final attempt in 1829; and we can find space here to do little more than name and note them by the way. But, ere we pass on, let it be noted that the decision of the House of Commons was hailed with apparently genuine satisfaction. The 'Catholic Board' passed a resolution, duly laid before the Peers by Donoughmore, 'pledging themselves that no disposition towards conciliation on their part should be wanting to aid the benevolent views of the Legislature.'⁴ There were

¹ Hansard's *P. D.* (first series), vol. xxiv. p. 1052.

² *Ibid.* p. 1066.

³ *Ibid.* p. 1068.

⁴ *Ibid.* vol. xxv. p. 202.

also petitions from the Roman Catholics of England, presented by Earl Grey, containing 11,000 signatures, and anticipating confidently 'the harmony likely to subsist hereafter amongst men of all denominations and religions in the country.'¹

The motion had been carried on 3rd March 1813, and, without loss of time, on Friday, 30th April, the measure founded thereon was brought in by Grattan, and read a first time to the House. Its title was,—'A Bill to provide for the removal of the Civil and Military Disqualifications under which his Majesty's Roman Catholic subjects now labour.'² The preamble sets forth, as 'established permanently and inviolably,' the Protestant Succession to the Crown, the Protestant Episcopal Church of England and Ireland, and likewise the Protestant Church of Scotland, and that it would 'tend to promote the interests of the same, and strengthen our Free Constitution,' if the Civil and Military Disqualifications aforesaid were removed. And his Majesty is invited to pass certain enactments thereanent, in order to 'bury in oblivion all animosities between Great Britain and Ireland.'³

Nobler wish was never proclaimed in any Imperial Statute! All that that bill sought for has long been granted, and many things its framers never dreamed of expecting; but, alas, the objects for which they were conceded seem as far, if not further, off than ever! Roman Catholic Ireland is still disaffected. Jealousies and animosities, if ever buried at all, had a swift and lively resurrection. Can it be that history, *i.e.* God in Providence, is going to baffle all those prophets of smooth things, and prove again that the abettors of Papal Claims never can be genuinely and whole-heartedly loyal to a Protestant Government, but must, as Hume says, play the part of a 'perpetual conspiracy!'

The bill proceeded to confer on Roman Catholics 'the

¹ Hansard's *P. D.* (first series), vol. xxv. p. 204.

² *Ibid.* p. 1107.

³ *Ibid.* p. 1108.

right to sit and vote in Parliament,¹ upon taking the prescribed Oath, the right to vote at elections being in all other respects duly qualified, and the right to hold all Civil or Military Offices, except those of Lord Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of Great Britain, and Lord Lieutenant or Lord Deputy or other Chief Governor or Governors of Ireland.' The right to be 'Members of any Body Corporate, or to hold any Civil Office therein,'² was also conferred, to the exclusion of all 'Ecclesiastical Offices or patronage;' and if the right of patronage belonged to any office in the gift of his Majesty, and if such office came to be held by a Roman Catholic, 'Members of his Privy Council, being Protestants, were to be appointed to exercise that right.'³

An Oath was prescribed to be taken by persons professing the Roman Catholic Religion and exercising Spiritual functions, against concurring in the appointment of any Roman Catholic Bishop or Vicar-Apostolic, 'unless assured of his unimpeachable loyalty and peaceable conduct;' and against correspondence with the See of Rome, 'tending to overthrow or disturb the Protestant Government or the Protestant Church,' or on any matter or thing 'not purely Ecclesiastical.'⁴

No person born out of the United Kingdom, 'except of British or Irish parents,' was to be henceforth capable of the Episcopal function, on penalty of 'expulsion;' and, under the same penalty, 'no person in Holy Orders shall be capable of exercising any Episcopal function, unless he shall have been resident within the United Kingdom for a specified number of years,'⁵ to be fixed by the Act.

This bill never had much chance of passing. But, before its second reading, it had already suffered under a double fire from friends and from foes. First came Sir John C

¹ Hansard's *P. D.* (first series), vol. xxv. p. 1109.

³ *Ibid.* p. 1114.

⁴ *Ibid.* p. 1115.

² *Ibid.* p. 1112.

⁵ *Ibid.* p. 1116.

Hippisley, labouring as usual under his load of learning,¹ with his motion for a 'Select Committee on the State of the Laws, the Roman Clergy, their Institutions, their intercourse with Foreign Jurisdictions, and the Laws and Regulations in the Colonies and in Foreign Countries.' Sir John quoted Dr. Milner as declaring,—'that thirty Bishops, with their Clergy and a numerous Laity, are ready to mount the scaffold and submit to the axe, rather than accept the securities in the proposed Bill !'² By such an inquiry as his, 'they would be able to oppose uncontrovertible facts to these idle declamations.'³

Canning compared the amendment, 'with its many branches, and the saving clause and other papers,' to the title of the treatise of Smalgruenus, '*De Omnibus Rebus*,' with its supplement '*De Quibusdam Aliis*;' and he implored Sir John, whose past services he lavishly praised, to quit, like a repentant Coriolanus, the Camp of his Volscian allies, and return again to Rome !⁴

The amendment was rejected by a majority of 48 ; but the fact that it had 187 supporters was ominous, and revealed that the House was far from ready to legislate wisely on such a deep-searching question.⁵

Canning's own action immediately made this still more painfully conspicuous. He gave notice, before the Second Reading Debate, of certain 'clauses' which must be added to the Bill, ere it could secure his support. They were nearly as long as the measure itself, referring to 'precautions for ascertaining the loyalty' of Roman Catholic Bishops by 'special Commissioners,'—provisions to regulate 'intercourse betwixt the Subjects of this Realm and any Foreign Power, —and other exceptions, to be added, 'the Lord High Chancellor in Ireland, the Lord Keeper or First Commissioner of the Great Seal, and the Commander-in-Chief.'⁶

The debate on the second reading was taken on Thursday,

¹ Hansard's *P. D.* (first series), vol. xxvi. p. 3.

² *Ibid.* p. 17.

³ *Ibid.* p. 47. ⁴ *Ibid.* p. 82. ⁵ *Ibid.* p. 88.

⁶ *Ibid.* pp. 88-100.

13th May, and the Bill was approved by a majority of 42, the noes being 203, and the ayes 245.¹ It really, however, received its death-blow, in the Committee of the whole House, on May 24th, from the most unexpected quarter.

The Speaker himself, the Right Hon. Charles Abbot, delivered an elaborate and judicial speech, and carried an amendment which killed the Bill. His closing words were, 'I feel it incumbent, therefore, upon me to repeat that, in my opinion, the great stand to be made for the preservation of our Constitution in Church and State must be against the admission of Roman Catholics to seats in Parliament—a concession which would virtually accomplish, and at no distant period, their admission into every other branch of political power, an event which I dread and deprecate, and shall think it my duty to resist even to the uttermost.' And his amendment was, 'that the words "to sit and vote in either House of Parliament" be left out of the Bill.'²

Sir John Nicholl followed with an equally severe and damaging attack. He reminded the Committee that, at present, 'not only are the Church and the Throne Protestant, but the Counsellors and Advisers of the Crown must be Protestant, the Magistracy must be Protestant, the high Military Offices must be Protestant—in short, there is no branch or department, not only of the Ecclesiastical Establishment, but also of the Civil Government of this country, that is not exclusively Protestant.'³ On the other hand, complete toleration is allowed to the Catholic, in the exercise of his Religion, in the security of his person, in the education of his family, in the enjoyment of his property; but he is excluded from exercising the powers of the State, the Supremacy of which he refuses to acknowledge!⁴ And he showed from history that 'the giving of this exclusively Protestant character to the Constitution, in all its branches, was upon a

¹ Hansard's *P. D.* (first series), vol. xxvi. p. 168.

² *Ibid.* p. 322.

³ *Ibid.* p. 329.

⁴ *Ibid.* p. 330.

principle of general policy, growing out of experience, and founded upon self-defence and security.'¹

Canning, on the other side, argued heartily in favour of the clause as it stood. He had brought himself 'in his conscience to believe that it would prove the most effectual security for our Protestant Establishments,' by stripping the Catholics of all real grievances!²

When the vote was taken, there were 251 for the amendment, and 247 against it; so that this vital clause was thrown out by a majority of 4. Thereon stood up Mr. Ponsonby, and gravely announced, that, 'as the Bill without said clause was neither worthy of the acceptance of the Catholics, nor of the further support of the friends of Concession, he moved that the Chairman do now leave the chair.'³ That was carried without a division at two o'clock in the morning. The measure was abandoned; and thus ended the first of many attempts to carry a Roman Catholic Relief Bill.

SECTION XI

The Catholic Board and the Eighth 'Emancipation' Debate

THE second session of the Fifth Parliament of the United Kingdom was again troubled with the Roman Catholic question, but the form which it then took does not require us to enter into much detail. On 13th May 1814, the proceedings of the 'Catholic Board,' our old friend 'the Catholic Committee' resurrected by its own pretended extinguishers, were brought under criticism by Mr. Knox, who declared that 'the Government ought to put down an evil which excited alarm in the mind of every well-wisher of Ireland.' Peel replied, with suggestive brevity, that 'the matter was under consideration of the Executive Power.'⁴

¹ Hansard's *P. D.* (first series), vol. xxvi. p. 331.

² *Ibid.* p. 356.

³ *Ibid.* p. 361.

⁴ *Ibid.* vol. xx ii. p. 871.

On May 17th, Sir John C. Hippisley, still thirsting for knowledge, wished 'further papers,' and particularly 'information as to the Society of the Jesuits,' who had 'purchased Castle Browne in Ireland, and erected a Seminary there.'¹ He also denounced the conduct of another body, the 'Catholic Board, who had been pleased to appeal to the Spanish Cortes,' and solicit their interference!² Sir Henry Parnell ridiculed 'the absurdity of supposing, at this time of day, any danger from the re-establishment of the Jesuits.' But Peel's answer was more statesmanlike, and, at the same time, more suspicious. He had been in communication with Mr. Kenney, the head of Castle Browne Seminary, and warned him 'not to infer that the Government would acquiesce;'³ and 'not to be surprised, if the same feeling which induced the British Government to confiscate the property of the Jesuits in Canada, and effectually to put down their Order, should induce them to watch, with the utmost vigilance and suspicion, an Institution established and superintended by one of the Order, and supported by funds the origin and nature of which were totally unaccounted for.'⁴

On May 24th, Grattan presented a 'Petition from the Roman Catholics of Ireland.' He did not deem it advisable, in 'the present circumstances,' to challenge any discussion, being at heart disgusted with the 'Catholic Board.' But he poured forth his own soul in a molten stream of eloquence,—'Are securities asked for? They offer the best the Throne can have, the affections of the people,—faith that was never violated, hearts that were never corrupted, valour that never crouched!'⁵ On May 27th he again presented Petitions from Ireland, but declined to initiate discussion,—'the present circumstances being such that no proposal could be submitted with any prospect of advantage.'⁶

¹ Hansard's *P. D.* (first series), vol. xxvii. p. 931.

³ *Ibid.* p. 935.

⁵ *Ibid.* p. 1017

² *Ibid.* p. 933.

⁴ *Ibid.* p. 938.

⁶ *Ibid.* p. 1027.

But Sir John C. Hippisley was more outspoken, and lifted the veil unsparingly,—‘the Catholic Board was permanently sitting in Dublin, in fact was become a permanent Parliament, and was levying taxes on the Catholics of Ireland. He reprobated their conduct, in appealing to the Cortes of Spain, as a most pernicious step. The Catholic Board ought to be immediately suppressed!’¹ The Earl of Donoughmore further revealed the development of these issues, when, on 8th June, he presented to the Lords the ‘Petition of the Roman Catholics of Ireland for the Removal of Disabilities,’ and gave his reasons for not urging them to further discussion—the ‘late proceedings’ of the Catholic Board,² and the manner in which they had received and treated even ‘the late rescript from the depositary of Papal Power’ as to the provisions of the Relief Bill.³ Turning upon the Government, he denounced ‘the document now put into his hand’ as having ‘dashed all hopes of conciliation,’ which the suspension of discussion might have afforded.

It was the Proclamation of 3rd June 1814, ‘dissolving the Catholic Board, under the Act of 33rd of his Majesty, to prevent the election or appointment of ‘unlawful assemblies,’ under pretence of preparing Public Petitions or other Addresses to his Majesty or Parliament.’⁴ In the House of Commons, Peel, when questioned as to the same, agreed at once to ‘produce the document,’ and added that ‘the motives of the Executive Government would be satisfactorily explained.’⁵

As this Session dies away from us amid these domestic mutterings, we have a glimpse into the great outside world, reminding us, even amidst our dusty Chronicles, of the mighty commotions that were all through those years convulsing Europe. For, on 1st July 1814, the Duke of Wellington was

¹ Hansard's *P. D.* (first series), vol. xxvii. p. 1028.

² *Ibid.* vol. xxviii. p. 16.

³ *Ibid.* p. 17.

⁴ *Ibid.* p. 22.

⁵ *Ibid.* p. 32.

received by the House of Commons with almost unprecedented honours. He attended on that day, personally to return thanks for the praises and rewards heaped on him at the conclusion of the 'Definitive Treaty of Peace with France.' The old Annalist tells us that it was 'the most dignified, and, at the same time, the most affecting proceeding that was ever witnessed in Parliament.' Napoleon was in exile,—safe in Elba, and done with,—so they thought!¹

When the third session of this Fifth Parliament of the United Kingdom opened, in November 1814, our learned friend, Sir John C. Hippisley, was still eagerly hunting for 'further papers,'²—particularly the Papal Rescript for the 'Restoration' of the Jesuits, a subject which, when he had noticed it before, 'the House had treated with great levity;' though Mr. Canning had admitted that 'such a revival, were it conceivable, would be of the most alarming nature.'³

But, in April 1815, both Houses were tingling with the news that Napoleon had escaped from Elba. The heart of Europe and of the world turned with passionate interest to the swiftly-nearing battle in which the demon-genius of Napoleon was to grapple with the invincible spirit of Wellington for the prize of Universal Empire.⁴ Still, not even the awe of that approaching conflict could hush the voices of controversy, which all through the months of May and June raged on within the walls of Parliament, and to which we must now turn aside.

What proved to be the Eighth Emancipation Debate shaped itself a little differently from the others.

In the Commons, on 11th May 1815, Sir Henry Parnell gave notice of a motion,—'that the House do form itself into a Committee to take into consideration the Laws affecting Roman Catholics;'⁵ and he submitted a series of 'Resolutions,'

¹ Hansard's *P. D.* (first series), vol. xxviii. pp. 489-492.

² *Ibid.* vol. xxix. p. 395.

³ *Ibid.* p. 396.

⁴ *Ibid.* vol. xxx. p. 342.

⁵ *Ibid.* vol. xxxi. p. 246.

'containing the full extent of the Roman Catholic Claims,' which he would propose to the House in Committee. In the debate, on May 30th, he argued that Mr. Grattan had 'virtually carried the question, first in the Irish House of Commons and now in this,—that the last Parliament had affirmed 'the expediency of taking these Laws into consideration,' and that he would therefore 'no longer discuss the principle, but the plan and regulations by which it may be carried into effect.'¹ He explained his proposed Resolutions, as 'framed on the model of the Irish Act of 1793—three of them were for reinstating Catholics in the rights justly and naturally appertaining to free subjects, and five were framed for removing specified hardships, respecting Clergy, Schools, Education, Marriages, and Worship.' He tartly declared that he had 'made no provision for what were called Protestant Securities,' for he believed 'the best possible security would be unqualified Emancipation.'²

Sir John C. Hippisley 'must now and always oppose such unqualified Concession,' holding that 'restrictions against the encroachments of a Foreign jurisdiction like the Roman Curia, were consistent with the soundest and most equitable policy,'³ as admitted in 1799 by the ten Bishops of Ireland, 'whose resolutions were among the papers now on the table,'⁴ though repudiated by the Catholics of the present day.

Peel warmly contended against going into Committee, —'Talk of the gratitude of the Catholics!'⁵ See how they had 'thrown overboard' Mr. Grattan, and induced Sir Henry Parnell to act for them. Again, 'remember (1) the Catholic *Committee* was dissolved as illegal in 1811; yet (2) it continued to meet as the Catholic *Board*, till last year it also was dissolved as illegal; and now, (3) out of the same material, rises up this Catholic *Association*;⁶ putting forward this Bill as 'the only measure which they would receive, and

¹ Hansard's *P. D.* (first series), vol. xxxi. p. 474.

² *Ibid.* p. 480.

³ *Ibid.* p. 482.

⁴ *Ibid.* p. 487.

⁵ *Ibid.* p. 505.

⁶ *Ibid.* p. 507.

doing so, forsooth, in the language of O’Connell, to save Parliament the trouble of legislation!’¹

Grattan, with a noble spirit, warmly replied,—‘I wish to support, I mean to support, the Catholic Cause with a desperate fidelity; . . . but I have told the Catholics, I now repeat it, that, unless they adopt a spirit of conciliation, they will never succeed.’²

When the vote was taken, the motion was rejected by a majority of 81, there being only 147 for, and 228 against it.

Within a week, however, the battle was resumed in the House of Lords, when, on 8th June, the Earl of Donoughmore ‘moved for a Committee of the whole House to consider the laws affecting Roman Catholics.’³ He would ‘fix the Roman Catholics precisely in the same situation as his Majesty’s other subjects, saving only what related to the Ecclesiastical Government. In every other respect there should be a perfect equality, and the Oath of 1793 was a sufficient security.’⁴

The Earl of Buckinghamshire, ‘believing that the Act of 1793 was where the stand ought to be made, giving to the Catholics everything which they ought to enjoy under a Protestant Government,’ maintained that, if what the Catholics now ask be granted, all proposed securities would be utterly useless,—‘the idea of strengthening the walls of a house in order to secure it against explosion from the mine.’⁵

Earl Grenville declared that these ‘Resolutions’ went to ‘an extent from which his mind turned with abhorrence, that of shaking the Protestant Establishments of this country to their foundations, and no consideration on earth could induce him to give them his support.’⁶

The Earl of Liverpool opposed the motion. The question really resolved itself into this,—‘Whether a Protestant Dynasty and a Protestant Establishment should be supported

¹ Hansard’s *P. D.* (first series), vol. xxxi. p. 508.

² *Ibid.* p. 523.

³ *Ibid.* p. 667.

⁴ *Ibid.* p. 671.

⁵ *Ibid.* p. 677.

⁶ *Ibid.* p. 678.

by a Protestant Parliament and a Protestant Administration? Whether in a Government, not arbitrary but limited by laws, it would be wise to intrust the maintenance of that Government to any other than a Protestant Council,—whether it would be safe to commit that Government to the administration of Catholics?’¹

The vote was then taken. There were 60 contents, but 86 non-contents, a majority of 26—marking the change that had come over the House under the fresh and galling irritations of the new ‘Catholic Association.’²

SECTION XII

The Ninth ‘Emancipation’ Debate

WHEN the fourth session of this Fifth Imperial Parliament had fairly opened, in February 1816, there came a whisper that ruffled the surface of the waters in the House of Commons for a single day. The last of the Stuarts had just died at Rome, in the person of Cardinal York; and Mr. Ponsonby, in his ultra zeal, was ‘afraid that the Government had advised His Royal Highness the Prince Regent to erect a monument to him there.’ But Lord Castlereagh was able to assure and reassure the trembling Commoner! Some ‘Family Documents’ had been left to the King; and the sole object of his Majesty’s bounty had been ‘to assist the Executor in raising this monument to the last of his race.’³ And so—exit the Stuart name, symbol at once of heroic romance and of unparalleled follies!

The months of March and April were almost exclusively engrossed with debates on the ‘State of Ireland,’⁴ and with the presentation of ‘Petitions’ from the Roman Catholics of

¹ Hansard’s *P. D.* (first series), vol. xxxi. p. 680.

² *Ibid.* p. 685.

³ *Ibid.* vol. xxxii. p. 747.

⁴ *Ibid.* vol. xxxiii. (*passim*).

Ireland and of Great Britain. On 15th May 1816, Grattan introduced the Ninth 'Emancipation' Debate, complimenting the Catholics on 'now evincing a disposition heartily to concur, in such terms as the House might think necessary, for the preservation of the Church Establishment and the Protestant Succession to the Throne.'¹ He moved 'that the House, early next Session, take into its most serious consideration the state of the laws affecting his Majesty's Roman Catholic Subjects,' and concluded in the exact terms of Canning's successful motion.² Sir Henry Parnell, Sir John C. Hippisley, and Lord Castlereagh concurred.

But Peel vigorously protested 'that they asked a precipitate pledge for a future time, which might prove to be most unfit.'³ He argued that, if even the bill of 1813 had passed, 'shutting out the Catholics from the two highest offices of the Law, and the highest office of the State, the same grounds for irritation would still have existed, the same weapons for the hands of the factious.'⁴

Mr. Ponsonby 'considered the things called Securities as only so many cobwebs.'⁵

When the vote came to be recorded, the motion was rejected by a majority of 31, there being 141 for Grattan's proposal, and 172 against.

That defeat so far strengthened the unceasing appeal of Sir John C. Hippisley 'for investigation and authoritative information,' which he pressed upon the House with conspicuous sincerity, but at wearisome length.⁶ On 28th May 1816, he argued the case once again, explaining that, 'if the Committee was granted, he would submit to it the propriety of examining and stating the power which Foreign Potentates exercised with reference to the appointment of Catholic Prelates in their dominions, and the general practice which prevailed of inspecting the correspondence carried on betwixt

¹ Hansard's *P. D.* (first series), vol. xxxiv. p. 656.

² *Ibid.* p. 662.

³ *Ibid.* p. 672.

⁴ *Ibid.* p. 674.

⁵ *Ibid.* p. 675.

⁶ *Ibid.* p. 871.

the See of Rome and their Catholic subjects.¹ This time, after long and vain pleadings, Sir John carried the House. Peel and Castlereagh concurred, and the 'Select Committee' was at last appointed.²

There was a passing skirmish on the question, on 9th June, when Sir Henry Parnell urged the Ministers to bring in a bill, and proposed a series of 'Resolutions,' which might form a basis for the Measure.³ Peel called for the Standing Order to be read,—'that no bill, which went to make alteration in the Religion of the country, should be discussed in that House, until the proposition had first been considered by the Committee, or agreed to by the House.'⁴ Lord Castlereagh charged Sir Henry with 'lack of candour in bringing such a question into discussion by piecemeal;' and his Resolutions, banned alike by friends and foes, were at length 'withdrawn.'⁵

The field was thus cleared for resuming the Ninth 'Emanicipation' Debate, that is to say, it was transferred to the House of Lords, and again fought out there, ere this session closed.

The way had been prepared by several exceptional petitions. One was called the 'Trimlestown Petition,' because drawn up at the house of his Lordship of that name. It was from the Roman Catholic Peers of England, and others of great respectability, 'who declared their readiness to conform to any regulation not incompatible with the principles of their religion, as respected its faith and discipline, and not threatening danger to the purity and permanence of its exercise.'⁶

Another Petition, the first of its kind, was from 'Bishops and Clergy professing the Roman Catholic Religion in Ireland,' in which they gave a decided negative to what was known as the 'Veto,' but suggested 'another species of security, and they trust an effectual one, against the terrors of Foreign influence,'⁷ namely, 'Domestic Nomination,' that

¹ Hansard's *P. D.* (first series), vol. xxxiv. p. 874.

² *Ibid.* p. 878.

³ *Ibid.* p. 1011.

⁴ *Ibid.* p. 1012.

⁵ *Ibid.* p. 1014.

⁶ *Ibid.* p. 1049.

⁷ *Ibid.* p. 1050.

is, appointment to the Bishopric 'by election in the respective Deans and Chapters,—to which they are convinced that their Spiritual Head will consent.'

Then came the opening of the debate by the Earl of Donoughmore, on 21st June 1816. With the glories of Waterloo colouring his memory, he moved, in similar terms to Grattan's motion, for 'early and serious consideration next session,'¹ protesting that the 'Catholics no longer demanded concession as a claim of right, that the present temper of the Catholics was one of the greatest possible respect, and that the State of Europe was now supremely favourable.'²

The Earl of Aberdeen, with phenomenal simplicity, was 'at a loss to perceive in what respect the Church was in danger ; surely no man could entertain any rational idea of the Catholics making proselytes !'³ One reads this, and wonders at the amazing lack of sagacity by which Parliaments and Peoples are sometimes led—owls blinking at the sun, and trying to make believe that it is midnight !

Lord Redesdale 'firmly believed that all the distractions, which had so long afflicted Ireland, were in great measure attributable to the influence of the Romish Clergy,' and this 'Domestic Nomination' would rather increase the power of the Priests than otherwise ! 'If the Catholic Laity of Ireland were left to themselves, there would be little difficulty in conciliating them.'⁴

The Bishop of Norwich warned 'those who raised the cry of "No Popery !" that they might, unless they adopted more conciliatory conduct, be compelled to hear the more dangerous cry of "No Union !" Alas, for the disaster amongst the prophets ! The conciliatory conduct was adopted to the full ; but, instead of preventing, it has as its next step created, the cry of 'No Union !' from Roman Catholic Ireland.'⁵

When the vote was counted, there were 69 contents and

¹ Hansard's *P. D.* (first series), vol. xxxiv. p. 1239.

Ibid. p. 1247.

² *Ibid.* p. 1242.

⁴ *Ibid.* p. 1251.

⁵ *Ibid.* p. 1254.

73 non-contents,—the swing of the pendulum this time giving a majority of 4 against the motion.

It may be well to close this period by glancing only for a moment at the 'Report' of Sir John C. Hippisley's Select Committee. It was read, and ordered to be printed, on 25th June 1816. Its subject of investigation was,—'The laws and ordinances of Foreign States, regulating the intercourse between their Roman Catholic subjects and the See of Rome.'¹ From the evidence of 'Witnesses' of the highest authority, and official 'Despatches' from his Majesty's Ambassadors at Foreign Courts, it was proved—'that, in all States, the exercise of a direct or indirect authority on the part of the Sovereign was uniformly in force,' both as to 'the Nomination of Prelates, and as to the intromission of Papal Rescripts.'²

Canning, praising the Committee warmly, assured the House that 'these documents proved that the conditions proposed in this country fell far short of what every other country, whether Catholic or Protestant, thought it necessary to adopt for its safety.' The toils of the learned and much-investigating Sir John were thus finally crowned by Parliament itself. His 'Report' was the acknowledged storehouse in all future debates.³ And it completely set at rest many questions and cavils about *Royal Veto*, *Domestic Nomination*, and *Regium Placitum*, which had vexed the souls of statesmen for more than a quarter of a century.

SECTION XIII

The Tenth 'Emancipation' Debate

THE fifth session of the Fifth Imperial Parliament was opened in January 1817.⁴ Many of its earlier debates are

¹ Hansard's *P. D.* (first series), vol. xxxiv. p. 1255.

² *Ibid.* p. 1256.

³ *Ibid.* p. 1260.

⁴ *Ibid.* vol. xxxv. p. 1.

occupied with 'Seditious Meetings Bills' and the like; but, in April and May, we are launched once more upon the troubled sea of the 'Roman Catholic Question.'¹ Sir Henry Parnell presented the 'Petition from the Roman Catholics of Ireland' on April 28th; and, on 9th May, Grattan renewed his oft-repeated motion for a Committee 'to take into consideration the laws,'² thus inaugurating the Tenth 'Emancipation' Debate.

Mr. Leslie Foster severely and closely examined 'the fresh proposals,' declaring that 'Domestic Nomination had existed heretofore, and existed now,' and that the offer of it as a security was a 'pure delusion.'³ When he was asked,— 'Whether this shall be the only great Nation that shall persist in intolerance?' he would retort, pointing to Sir John C. Hippisley's Report,— 'Whether this Nation was to be the only one in Europe, which should consent to place the Roman Catholic Religion in a situation so free from all political control as to form a complete *Imperium in Imperio* within its bosom?'⁴

David Webb Webber made, on this occasion, one of the greatest speeches ever delivered on that question within the walls of Parliament,—greatest by full knowledge, and by historical and unanswerable arguments.⁵

He reviewed the whole course of British History in relation to Papal Claims, 'beginning with Popery as a domination, arising about cotemporary with the Norman Conquest.' From that period, till the 25th year of our Edward I., 'a continual system of encroachment and struggle embittered the lives of our Monarchs and degraded the Nation.' From that date again, till the 16th year of Richard II., there was a 'continued Legislative struggle over *Provisors*, *Praemunire*, and *Mortmain* Statutes.'⁶

The 'second period,' from the Reformation to the Revolu-

¹ Hansard's *P. D.* (first series), vol. xxxvi. p. 4.

² *Ibid.* p. 301.

³ *Ibid.* p. 304.

⁴ *Ibid.* p. 323.

⁵ *Ibid.* pp. 352-393.

⁶ *Ibid.* p. 357.

tion, 'saw the origin of the Oath of Supremacy, met by the Bulls of Excommunication and Deposition, and followed up by plots, conspiracies, and assassinations to the end of Elizabeth's reign.'¹

In the first Parliament ever called in Ireland, 1613, 'to which Protestant and Papist were indiscriminately eligible,' the Lord Deputy writes that the Roman Catholic Clergy, by spiritual 'threats,' controlled all the elections.

In 1639, Strafford tried it again, but his letters declare that 'the same influences were exercised by the Priests; and what were the consequences? A general Insurrection and a Massacre of Protestants, in which, as proved by the Journals of the House, forty-one Members of that Parliament were personally engaged.' The Pope sent over his Nuncio Reviaccini to 'sanctify what had been done;' and 'Confederated Ireland' proceeded, under such direction, 'to offer the Sovereignty of the kingdom to the King of Spain, and, on his refusal, to the House of Lorraine.'² Notwithstanding the Oath of Supremacy, and the Act of the 5th year of Elizabeth, Roman Catholics still qualified by some salvo of conscience both for Offices of State and for Seats in Parliament, and this, along with the open conformity of the heir-apparent to Popery, 'suggested the Exclusive Act of the 30th of Charles II.—which the great Lord Russell died as a martyr for trying to extend also to the Crown!'³

A third Parliament in Ireland was called under James II., 'on the principle proposed to be resorted to again,—the indiscriminate eligibility of Protestant and Papist;' but the results were exactly the same. By the influence of the Priests, 'out of three hundred members, only six were Protestant.' Then followed the cry for 'Repeal,' and the terrible 'Act of Attainder,'—closing the second period of our relationship to Papal Claims.'⁴

¹ Hansard's *P. D.* (first series), vol. xxxvi. p. 359.

² *Ibid.* p. 361.

³ *Ibid.* p. 363.

⁴ *Ibid.* p. 365.

The 'third period, not yet closed (thank God!), takes for its principle the absolute rejection of the Religious Faith of Romanism, and its entire exclusion from Political Power,'¹—the framers of the Bill of Rights 'deliberately adopting and incorporating the Exclusionary Statute of the 30th of Charles II. into every one of these five enactments, which, clustering round the Bill of Rights and the Act of Settlement,¹ form the code of our great Constitutional Charter,—all together, with decisive and emphatic solemnity, *pronouncing that the Government shall be Protestant, that the Legislature shall be Protestant, and that the King shall be Protestant.*'²

Mr. Webber continued: 'As Hume justly remarks, "It is absurd to look for the British Constitution before the Revolution." . . . Burke says, that to unsettle the Protestant qualification of what constitutes the "Rule" of the State, as distinguished from the "Instrumentality" of that rule, is "a project which only fanatics would contend for." I quite agree with him. That question was closed at the Revolution and for ever settled—a result drawn by the great men of that day from long experience of the dangerous and the unchangeable nature of the System against which they meant to defend their posterity.'³

As to the answers of the 'Six Universities,' the answer of the 'Congregation of Cardinals' now on the table, and the 'Oath and Protestation' of the Roman Catholic Noblemen and Gentlemen of 1789 about the 'Disputed Doctrines,' he was prepared to produce 'Answers from at least three of these Universities diametrically opposite to those now given by them;' to adduce 'innumerable instances to the direct contrary, on like authority;' and to show 'that the Lay Lords of 1789, by the explanations forced from them to satisfy their Bishops, aggravated the sense of danger which they meant to remove.'⁴

¹ Hansard's *P. D.* (first series), vol. xxxvi. p. 366.

² *Ibid.* p. 367.

³ *Ibid.* p. 370.

⁴ *Ibid.* p. 375.

'From looking back over this train of events and their effects,' said Mr. Webber, 'we may learn, if we will, what chance we have of securing Conciliation by Concession; twenty-seven years have been passed in the vain pursuit of that phantom; we advance to the alluring brightness, and find only an abyss. Again it invites,—will you plunge?'¹

Peel, in showing that the Roman Catholics of Ireland rejected the proposed Securities 'with abhorrence,' said,—'I hold in my hand the letter of Cardinal Latta to Dr. Poynter, of date 26th April 1813, and quote the words, "As for the Examination of Rescripts, or what is called the *Regium Exequatur*, it cannot be even made the subject of negotiation—such a practice must essentially affect the free exercise of that Supremacy of the Church, which has been given in trust by God!"'²

Driving home the issues of a long-sustained argument, Peel further said,—'I affirm that almost every objection, which applies to the code of laws which you now seek to abrogate, will apply with equal force to that code by which you seek to replace them, that there will be greater anomalies and inconsistencies in the latter, and a moral certainty that the arrangement you seek to make will be less conclusive and satisfactory than that which you have now.'³

Grattan, in reply, exclaimed: 'Incorporate the Catholic Church with the State. Pay the Church, and thus give the State an influence among the Clergy.'⁴

But the House remained immoveable. The vote was 221 against 245. The motion was again rejected, and this time by a majority of 24.

A week later, we find ourselves, in the thick of this same Tenth Debate, now transferred to the House of Lords.

The Earl of Donoughmore, in moving 'for a Committee of the whole House to consider the Roman Catholic Petitions,'

¹ Hansard's *P. D.* (first series), vol. xxxvi. p. 386.

² *Ibid.* p. 407.

³ *Ibid.* p. 415.

⁴ *Ibid.* p. 438.

admitted that this question 'never could come before them under circumstances of greater irritation in the public mind!'¹

The Earl of Liverpool argued 'that, as to Concession, the only question is,—Are your Lordships prepared to make it? If so, the more simply and openly you make it, the better!'

Eldon, incisive as ever, 'ventured to say that no man in the world was more decidedly hostile to the Catholic Claims than Locke,' upon whose teaching much of the argument of that night had been erroneously founded.² The Bishop of Norwich wittily retorted 'that he founded upon the leading principle of Locke's *Letters on Toleration*, not upon any detached quotation culled from an Index, and thus, as Pope says, 'catching the eel of Science by the tail!'³

But there was no sign of reaction in the Upper House. The contents numbered 90, the non-contents, 142. The motion was lost by a majority of 52.⁴

This was practically the last stroke of the Fifth Imperial Parliament, in this apparently interminable controversy. General Thornton did, indeed, try to revive the question in the sixth and last session; but the House was weary, was feeling the approach of dissolution, and could not be stirred. He moved, on 7th May 1818, 'that leave be given to bring in a Bill to repeal such parts of the Acts of 25th and 30th Charles II. as require, in certain cases, Declarations to be made against belief in Transubstantiation, and asserting the worship of the Church of Rome to be "idolatrous."'⁵ But Lord Castlereagh vigorously opposed the proposal,—'The laws moved to be repealed were associated with other enactments, and it was impossible to keep this distinct from the larger Catholic Question.'⁶ So the House also ruled, and passed on unceremoniously to the next business.

Thus leaves us the Fifth Parliament of the United

¹ Hansard's *P. D.* (first series), vol. xxxvi. p. 600.

² *Ibid.* p. 675.

³ *Ibid.* p. 677.

⁴ *Ibid.* p. 678.

⁵ *Ibid.* vol. xxxviii. p. 556.

⁶ *Ibid.* p. 559.

Kingdom, It had struggled through four great 'Emancipation' Debates. It had discussed the first Roman Catholic Relief Bill. But it left the question apparently as far from settlement as ever. The battle was a drawn one, but the forces were not disbanded.

SECTION XIV

Eleventh 'Emancipation' Debate and Second Relief Bill

THE Sixth Imperial Parliament, which assembled in January 1819, soon found its tables in both Houses groaning with Petitions, both for and against the Roman Catholic Claims. And, on Monday, 3rd May, after many such had been presented and read, Grattan inaugurated, with unwearied enthusiasm, the Eleventh 'Emancipation' Debate.¹

As to the charges against the Catholics, he argued with unanswerable force,—'You carried the Pope on your back, whom you found strapped to the war-horse of the great Captain: I ask, Did you restore the Mass in Italy, in order to punish your own fellow-countrymen for Popery?'²

Speaking of the conduct of the English Church upon the whole, apart from the tendencies of this controversy, Grattan said,—'I love the mild Government of the Church of England. I like the arched roof, the Cathedral state, the human voice, and all the powers of Evangelic harmony, to give the soul to duty, and sway the senses on the side of salvation.'³ The wisest men we know, Locke and Newton, were Christians and Protestants. It is the minor genius that mutinies against the Gospel! He affords the Universe one glance, and has not patience for a second. But I should think I provided ill for the security of our Church by the destruction of others.'⁴

¹ Hansard's *P. D.* (first series), vol. xl. p. 6.

³ *Ibid.* p. 12.

² *Ibid.* p. 10.

⁴ *Ibid.* p. 13.

Again whetting the *argumentum ad hominem* to its finest edge, he cried,—‘In argument and in experiment also you have settled the question. Will you say that the Roman Catholic cannot be trusted with a vote, but may be trusted with the Navy of England? He may be Commander-in-Chief, but don’t make him an Alderman or an M.P. Don’t give him political power, but you may give him his Majesty’s forces by sea and by land.’¹

In conclusion, he rose into a passion of eloquence, probably never surpassed in that House,—‘We have heard of divers anomalies in your policy, your treaties, your subsidies, and your prayers, *but the great anomaly is yourself!* The Continent lay flat before your late rival Napoleon. The Prussians had dissolved. The Austrians retired; the iron genius of Russia retired; the power of France had come to the water edge. When, behold, from a cloudy speck in the west, the avenging Genius of this Country issues forth, clutching ten thousand thunders! He breaks the spell of France, stops the flying fortunes of Europe, sweeps the sea, rights the globe, and retires in a flame of glory. But, while the planet is in admiration and amaze at its genius and originality, England turns School Divine, has a bye-battle about Extreme Unction, and swears that its friends are a pack of idolators! Our King is, on the part of his faith, the supreme head of our Church. We are his National Council, and have a right to advise him. I avail myself of that privilege and say to him—My Prince, my Master, you must take the lead in the deliverance of your people. Your predecessor, the Plantagenet, conquered on the Continent, so have you; but then he confirmed the Magna Charta thirty times. Your predecessor, the Tudor, saved Holland, so have you; but then she passed good laws without number.² The House of Hanover, and under your direction, has carried Europe on its back; but then a great work still remains for the fulfilment

¹ Hansard’s *P. D.* (first series), vol. xl. p. 21.

² *Ibid.* p. 22.

of its glory. The fourth part of your subjects are now before you. Come! The destinies of the House of Hanover are waiting for you. Come! Be the Emancipator of the Catholics as you have been the Deliverer of Europe; and then you may look the Plantagenet and the Tudor in the face!’¹

John Wilson Croker followed, and brought back the nerves of the House to something like ordinary tension, by a legal plea and historical summary. He showed that the Catholics, as such, ‘were not excluded from any of the offices of State, but are incapable of holding the same, unless they qualify themselves by taking the presented Oaths within six calendar months.’ Hence, he explained, from the 1st of George I., enacting these, in their then existing form, and every year since, Parliament passed the ‘Act of Indemnity,’ allowing persons, till ‘the 25th March next ensuing,’ a further opportunity still to qualify; and ‘benevolent care was taken that each new Act should pass before the day mentioned in the last, so that there was the virtual suspension of all Acts of Penalty.’²

After Mr. Leslie Foster and others had spoken, the House clamoured ‘Question! Question!’ ‘Divide! Divide!’³ It was actually put from the Chair. Then arose a debate about adjournment. Castlereagh, Plunkett, Peel, and many others, still wished to speak. But the House was weary and fractious. A technical objection was eagerly seized on, they could not ‘adjourn’ after the Speaker had ‘put the question.’

The vote was accordingly called for, the debate being not unwillingly allowed to collapse. The noes were 241, the ayes 243. The motion was lost by only 2, and the House rose at half-past one o’clock in the morning,⁴—feeling, as keenly as ever, that this new Parliament was even more equally split into two than the last by this all-dividing Roman Catholic Question.

We now pass to the Lords, and find the Debate opened

¹ Hansard’s *P. D.* (first series), vol. xl. p. 23.

² *Ibid.* pp. 26, 27.

³ *Ibid.* p. 78.

⁴ *Ibid.* p. 79.

there by the Earl of Donoughmore on Monday, 17th May. He said 'that, if the House would go into Committee, the ulterior measures he would propose would be chiefly some alteration in the Oaths.'¹

Lord Eldon learnedly cited Hale and Coke once more, and added,—'For his own part, he perfectly concurred with that distinguished philosopher Locke, that so long as Roman Catholics deny the Supremacy of the King, so long ought the country to refuse them Emancipation.'²

The Earl of Liverpool pointed out 'that the Roman Catholics sought for equal privileges with other classes of the people, *but upon unequal conditions*, as they were willing to submit only to qualified obligations of Allegiance, while the obligations of others were without any qualification.'³

The Duke of Wellington crisply asked,—'The Pope continuing to have the same influence over the Clergy, and the Clergy over the People, was it possible that Roman Catholics could be safely admitted to seats in Parliament?'⁴

The vote was carried—contents, 106 ; non-contents, 147 ; rejecting the proposal by a majority of 41.

But the Lords had still another tussle regarding the Catholic Question during this brief Parliament. It was over a proposal by Earl Grey,—'To relieve the Roman Catholic from taking the Declaratory Oaths against Transubstantiation and the Invocation of Saints.'⁵ It was read a first time, on 25th May 1819, and may be known by us here as the 'Second Roman Catholic Relief Bill.' It was entitled,—'A Bill for abrogating so much of the Acts of 25th and 30th of Charles II., as prescribes to all Officers, Civil and Military, and to Members of both Houses of Parliament, a declaration against the Doctrine of Transubstantiation and the Invocation of Saints.'⁶

On June 10th, the bill was submitted for a second read-

¹ Hansard's *P. D.* (first series), vol. xl. p. 386.

² *Ibid.* p. 410.

³ *Ibid.* p. 437.

⁴ *Ibid.* p. 448.

⁵ *Ibid.* p. 748.

⁶ *Ibid.* p. 749.

ing. The Earl 'expected a general concurrence, as the Bill had no reference whatever to the Supremacy of any Foreign Power, but referred entirely to opinions of faith and doctrine.'¹

The Bishop of Norwich, with great keenness of logic, argued that a 'Religious Test might be good for excluding men of piety and honour, but was no bar against the Atheist or the Infidel ;'² and, further, 'that it was a gross profanation to make our sentiments, regarding the most solemn rite of Religion, a mere scaffold on which we climb to high situations in the world—

"To make the Symbol of atoning grace,
An office-key, a picklock to a place."³

The Lord Chancellor Eldon maintained 'that the Oath, required by the Statutes of Henry and Elizabeth, was merely declaratory of the common law. It was, as Dr. Paley observed, perfectly just to have a Religious Test of a political opinion ; nor was there any more breach of charity, or violation of justice, in excluding a Catholic by requiring from him the fulfilment of certain conditions, than there was in disqualifying a Protestant who had not £300 a year.'⁴

The vote was immediately thereafter taken. The contents numbered 82, the non-contents, 141 ; so the second reading was lost by a majority of 59 against it.⁵ Such was the fate of the second attempt to carry through a Roman Catholic Relief Bill.

This Sixth Imperial Parliament ran a very short career. Its second session, which was its last, opened in November 1819 ; and, during its course, George III. passed away from his ten years' death-in-life. Indeed, as his first access of insanity was so far back as 1764, and his last in 1810, and there were three short 'aberrations' between those dates, he may be truthfully described as having hovered on the brink of lunacy for more than fifty years. For the last whole

¹ Hansard's *P. D.* (first series), vol. xl. p. 1035.

² *Ibid.* p. 1048.

³ *Ibid.* p. 1050.

⁴ *Ibid.* p. 1064.

⁵ *Ibid.* p. 1067.

decade he had been buried from the world, and his terrible malady pleads with the historian to write tenderly of his faults. He was, indeed, innocent of the grosser vices of many kings before and since; but his morbid conscientiousness cost the Country more than the wild lusts of others. His fame lies buried in the gulf that has severed the United States from the United Kingdom, for the digging of which his personal obstinacy was almost exclusively responsible. His too long reign of sixty years closed on 29th January 1820, and the Prince Regent succeeded as George IV.

It seemed as if Fate, in the person of the Georges, was determined to illustrate for us every type of Sovereign, except the highest. The First George has become known to us as the Gentleman Usher, the Second as George the Drill-Serjeant. May we, without offence to the facts, label the Third as George the Bigot, and the Fourth as George the Rake? True History does not swagger in Courtly airs, and the actualities of life are the only colours which she deigns to use. It was fortunate for him that this last of the four fell on times when this Nation was willing to let a man reign without expecting him to rule, though the influence of such a spirit upon the veritable leaders and rulers of the kingdom cannot but have been bad and debasing. We have advanced, at least in some things, since that day. It may be confidently affirmed that no Sovereign of the character of George IV., with his crew of Fitzherbert courtesans, will ever again be tolerated on the British Throne.

SECTION XV

The Twelfth 'Emancipation' Debate

AS soon as might be, on the accession of George IV., the Seventh Imperial Parliament was called together.¹ It

¹ Hansard's *P. D.* (second series), vol. i. p. 1.

met on 21st April 1820. And we have not long to wait before being assured that Kings may come and Kings may go, but the Catholic Question goes on for ever! On April 28th, Sir Henry Parnell gave notice that, 'on 11th May next, Mr. Grattan would submit a motion for the removal of Disabilities.'¹

But ere May came round, room could be found in the public mind, and in the time of Parliament for only one theme—the miserable domestic affairs of George the Rake. He forced the Ministry to prosecute his Queen for adultery; and the 'Bill of Pains and Penalties' against her, with all its attendant excitements, and with Brougham flaming and lashing on the other side, drove the Nation into an incredible frenzy.

Caroline of Brunswick was married to cousin George as far back as 1795. She bore to him the hapless Princess Charlotte; but George had never made any pretence of loving her, had ceased to speak with her, and, finally, withdrew from her company, so soon as her child was born, and devoted himself openly and assiduously to his own vicious pleasures. He tried to have her incriminated, after a few years, but failed. The public sympathy flowed strongly in Caroline's favour. She was by-and-bye permitted to travel, and to live at various resorts abroad, her steps being everywhere dogged by malicious spies.

At length, on George's accession, she was offered the bribe of a £50,000 Annuity to renounce the title of Queen, and to reside forthwith the realm. She refused, and, on the contrary, made a triumphal entry into London. Thereon, the 'Bill of Pains and Penalties against Her Majesty the Queen' was hotly launched, and all other Parliamentary business was at a deadlock. They proved her guilty only of grave imprudences, but they knew her to have been the victim of terrible wrongs. Brougham's fire and the popular feeling ran fiercely

¹ Hansard's *P. D.* (second series), vol. i. p. 40.

together. The Divorce Bill passed the Lords, but had to be dropped out of view. Adultery could not be brought home to her ; while all the Nation knew, without any Bill to prove it, the abominations in which the King had wallowed.

She remained 'Queen' Caroline, but she was never crowned. They turned her away from the door of Westminster Abbey on Coronation Day. And she died, presumably in great measure of a broken heart, during the month of August, in the following year, 1821. George might have done worse than die too, and make some amends ; but he had no heart that could be broken ! So he wallowed on a few years longer.

All this explains various hints that emerge amidst the dusty annals ; as when, on 13th July 1820, Lord Nugent 'declined to present a "Petition from the Roman Catholics of England," because of the awful and immediate importance of that question which now engaged the public mind.'¹ Or again, on July 17th, when William C. Plunkett, Member for Dublin University, intimated that he had Petitions from Ireland, but 'did not mean to present them, while the momentous question now before Parliament was undisposed of.'²

By the time that the second session of this Seventh Parliament was opened, in January 1821, the frenzy had begun to subside, and the business of the Nation resumed its wonted channels. Accordingly, on Wednesday, February 28th, we find the House engrossed with petitions for and against Roman Catholic Claims, as preliminary to another great debate.³ And amongst the rest, Lord Nugent, 'on behalf of 8000 Catholics of Great Britain,' made the following extreme declaration,—'They acknowledge in no Foreign Power, State, or Potentate, any power or authority to use the same within the said Realms, in any matter or cause what-

¹ Hansard's *P. D.* (second series), vol. ii. p. 425.

² *Ibid.* p. 496.

³ *Ibid.* vol. iv. p. 949.

ever, whether Civil, *Spiritual*, or Ecclesiastical.¹ Needless to say here that, were this in any sense true, the Oath of Supremacy never could conceivably have created any obstacle to the Roman Catholics of Britain. It was, therefore, either culpable ignorance or intentional falsehood.

He then affirmed that 'the time had come, foretold by three great text-authorities,' in Divinity, in Law, and in Philosophy, 'when it would be no longer just nor expedient to exclude Roman Catholics,' viz., Bishop Hoadley, Justice Blackstone, and Archdeacon Paley.

Blackstone we have quoted on a previous page (*v.s.* 108) 'If ever the time should come,' etc.

Hoadley, the venerable champion of Protestantism and of Civil Liberty declared,—'I cannot justify the exclusion of the Papist from Civil Office upon any other ground but that of his open and avowed enmity to the Civil Government as now settled in this land.'²

And Paley, to the same effect, 'It should be remembered that, as the connection between Popery and Jacobitism, which is the sole cause of suspicion and the sole justification of those severe and jealous Laws, was accidental in its origin, so probably it will be temporary in its duration; and these restrictions ought not to continue one day longer than some visible danger renders them necessary for the preservation of public tranquillity.' And he adds: 'The measure certainly cannot be defended at all, except where the suspected union between certain obnoxious principles in Politics and certain tenets in Religion is nearly universal; in which case, it makes little difference whether the Test be Religious or Political, and the State is somewhat better served by the one than by the other.'

Plunkett thereon presented 'the petition from the thousands of Roman Catholics in Ireland,'³ intrusted to him, 'now that

¹ Hansard's *P. D.* (second series), vol. iv. p. 952.

² *Ibid.* p. 956. ³ *Ibid.* p. 957.

⁴ *Ibid.* p. 960.

the good and great Grattan was gone, who had in his death, as during his life, been a bond of union between the two countries.' Thus the dust-covered annals stir for a moment, and are kindled by the memories of one of the most impressive orators that ever swayed the House of Commons. So far back as 1775, Henry Grattan was returned as a Member of the Irish Parliament. He fervently opposed the Union, and for a time retired from public life. But, in 1806, he was re-elected for the University of Dublin, a seat which he held unchallenged till his death. Against medical advice, however, he came to London to prosecute the 'Emancipation' Movement, with that 'desperate fidelity' of which he at least could sincerely boast. And, on 4th June, he died there, he passed through the Great Emancipation,—leaving as fair a name, and the echo of as pure and lofty an eloquence, as any Irishman of that, or of any age!

Plunkett was his successor, at once in Dublin University and in the championship of the Roman Catholic Claims; and, as we shall immediately see, a double portion of the master's spirit had descended on him. His was the honour, after the petitions had cleared the path, on that 28th February 1821, of leading in the Twelfth Emancipation Debate, and of winning one of the Parliamentary victories in that long-drawn battle.¹

He argued the question 'on grounds of Religion, of the Constitution, and of Policy.' In requiring, under the head of Religion, this 'Test,' or 'Declaration,' in denunciation of the Catholic beliefs, he called upon the House to 'observe the necessary inconsistencies in which we were involved;—In Ireland we had admitted these idolators as Magistrates for the preservation of the peace and welfare and good Government of a Christian land; we had permitted them to build Schools and to teach children; and we had established them in Canada!'²

In regard to the Constitutional aspect of the controversy,

¹ Hansard's *P. D.* (second series), vol. iv. p. 961.

² *Ibid.*, p. 969.

he 'feared not the contradiction of the sound and enlightened lawyers around him when he broadly asserted that, by the original and fundamental principles of the Constitution, the Sovereign possessed the unlimited right of selecting to all the Offices of State from all his subjects, and that every freeborn subject possessed the right of being selected ;'¹ and he quoted the dictum of Bacon,—“The fourth and last degree is the natural-born subject, and he is complete and entire ; for, in the law of England, there is *Nil ultra*, since, by the law of England, the subject that is natural-born hath a competency or ability to all benefits whatsoever.” He reviewed at length the legislation of the Reformation and Revolution, and held that he had demonstrated that these fundamental principles were 'never altered.'²

On the question of Policy, he solemnly declared that, if he could believe in those dangers which some anticipated from Concession, he would 'abandon those long-asserted claims.' But he turned to Peel, as the right honourable member for Oxford, and appealed to him, 'because there is no Member likely to be more influential on this subject, and whose confirmation, in what I must call unfounded prejudices, is likely to work more serious injury to the country.'³

In view of dangers, he would 'take care that the interests of the population should be connected with the State ;'⁴ and, for security, he would place 'all intercourse with the See of Rome under the inspection of the State ;' he would give the Crown 'effectual means of being assured of the loyalty of the Bishops and Clergy ;' and, finally, he would 'incorporate the Roman Catholics with the State, that their interest might be our security.'⁵

Peel at once accepted 'the personal challenge,' and complimented Plunkett as the successor of Grattan,—'No man was more worthy than he to bear the arms of Achilles !'⁶

¹ Hansard's *P. D.* (second series); vol. iv. p. 974.

² *Ibid.* p. 978.

³ *Ibid.* p. 979.

⁴ *Ibid.* p. 980.

⁵ *Ibid.* p. 984.

⁶ *Ibid.* p. 989.

He had 'no unqualified satisfaction' in the present state of things, it was to him 'a choice of evils, and a refuge from still greater dangers.'

As to the quotation from Blackstone, so ostentatiously paraded, 'the chapter proved that he was alluding to the Penal Laws, as distinct from the Excluding Statutes'—the one inflicting specific punishment, the other, and that only, indirectly disabling from office.¹

Again, 'the arguments drawn from Pre-Reformation times had absolutely no weight,' in the judgment of Peel; 'especially because the Religion of the State was then Roman Catholic, and that made all these references utterly irrelevant.'²

Reviewing the origin and intention of the Statutes of 1st Elizabeth and 5th Elizabeth he unanswerably pressed home this question,—'If the Roman Catholics of the present day would not take the prescribed Oath, why should they be less objects of jealousy than the Roman Catholics of that day?'

He relied upon the doctrines professed, and voted on at the Revolution to prove, moreover, that 'no unqualified right of the subject to office' had ever been recognised; and that the greatest men of that age drew 'a clear distinction betwixt the granting of Toleration and the conferring of political power, between laws which impose Penalties, and those which only excluded from Civil Offices.'³

If certain dangers 'did not at present exist, were they not, as a Legislature, to guard against others that might arise? In the past, there had been *five different dangers* met by different Penal Laws and other Securities.⁴ Under Elizabeth, there was the claim of the Pope to Supremacy over this kingdom. Under Charles II., there was the danger that arose from a King indifferent to all religion, and such counsellors as Lord Arlington. Under James II., the King himself was a Papist, and determined to promote that religion. Under

¹ Hansard's *P. D.* (second series), vol. iv. p. 992.

² *Ibid.* p. 993.

³ *Ibid.* p. 994.

⁴ *Ibid.* p. 998.

William, the danger was of an altogether different species. And, under Anne, we had to guard against Lewis XIV. acting with a discontented domestic faction. Why may not other dangers yet arise, against which similar precautions shall be necessary?'¹

Sir James Mackintosh also complimented Plunkett as 'the greatest master of eloquence and reasoning now existing in public life!'² He blamed Peel for 'strangely mistaking King William and the great Lord Somers, with the Acts of these times, when he inferred that, because their ancestors had wisely guarded against an existing danger, they therefore meant to enact for future ages a Perpetual Exclusion Bill.'³

Lord Castlereagh tried once more to win Parliament to his favourite plan of 'making due provision for the Roman Catholic Clergy of Ireland, and thereby connecting them with the Government of the country.'⁴

When the vote was taken, the ayes numbered 227, and the noes, 221; so that the motion was carried, though only by a majority of 6.

SECTION XVI

Third Roman Catholic Relief Bill

THAT victory was won on Wednesday; and on Friday of the same week, 2nd March 1821, Plunkett explained 'the course he proposed to pursue.' He would, in Committee, 'propose the Resolutions now to be read, and ask leave to bring in a bill founded thereon.' It would be introduced on Tuesday next, and the second reading taken on the following day.⁵ The 'Resolutions' were six in number, asking the 'Repeal' of the 'Declaration against Transubstantiation,'

¹ Hansard's *P. D.* (second series), vol. iv. p. 998.

² *Ibid.* p. 1004.

³ *Ibid.* p. 1009.

⁴ *Ibid.* p. 1028.

⁵ *Ibid.* p. 1066.

and the 'Explanation of the term Spiritual' in the Oath of Supremacy, so as no longer to exclude the Roman Catholics, —'accompanied with such exceptions and regulations as may be deemed necessary' for 'preserving unalterable the Protestant Succession, and maintaining inviolate the Protestant Church,' as the same are 'by law established.'¹ The House in Committee by-and-bye approved the Resolutions. A bill was ordered to be brought in founded thereon. And a 'Call of the House' was fixed for that day fortnight, the 16th March.²

On that day, as on nearly all intervening days, many petitions were tabled; and, amongst the rest, one from the 'Roman Catholics of Staffordshire,' strongly denouncing the proposed bill.³ On attention being called to the signature of Dr. Milner, which it bore, Plunkett rose and said,—'That was only the act of an undeviating and consistent bigotry. The same evil spirit, which in 1813 came forth to blast the hopes of the Catholics, was again at work. Of the eight Apostolic Vicars in this country, he was the only one that did not sign the General Petition from the Roman Catholics of England. It was visionary to expect the concurrence of such bigotry. Bigotry was unchangeable—abandoned by the tides of knowledge, left stranded by the waters of reason, it worshipped the figures imprinted upon the sand which were soon to be swept away. It was inaccessible by reason, and irreclaimable by experience!'⁴

Of course, this magnificent rhetoric carried the House, and overwhelmed the Romish Ecclesiastic. But, bigotry or no bigotry, he knew the spirit, and rightly read the Claims of the Papacy, which Plunkett did not, and this History will speedily show with whom the laurels must abide.

The Third Roman Catholic Relief Bill must be passed as briefly as possible in review. It contained, in reality, two

¹ Hansard's *P. D.* (second series), vol. iv. p. 1067.

² *Ibid.* p. 1068.

³ *Ibid.* p. 1266.

⁴ *Ibid.* p. 1268.

bills, the first bearing on 'Relief from Disabilities,' and the second on the regulation of 'Correspondence with the Holy See.'¹

The Relief Measure 'abolished' the Declaration against Transubstantiation,² and 'explained' the Oath of Supremacy, as 'originally meant, only to extend to any such acknowledgment of Foreign Jurisdiction as is or could be incompatible with the Civil Duty and Allegiance due to his Majesty.'³ The already familiar 'Exceptions' were provided for, and Plunkett invited any other Member 'to propose other exceptions if he thought fit,' adding, with that fatalistic blindness which took possession of the men of his day, — 'These excepted offices were essentially vested in the Crown, and he saw little necessity for apprehending that Catholics would ever look up to them!'⁴ Human nature alone, if not Papal ambition, ought to have given him a wiser forecast.

The object of the Second Measure was thereafter unfolded,—'to regulate the intercourse between persons in Holy Orders professing the Roman Catholic Religion and the See of Rome,'⁵—and its enactments were to prevent the appointment of any one 'whose loyalty and peaceable conduct shall not have been previously ascertained to the satisfaction of his Majesty.'⁶

Sir James Mackintosh maintained that a late change in the laws left the House no alternative,—'By the Act of the 57th of George III. c. 92, and by the Annual Indemnity, Catholic subjects stood with reference to the Army in exactly the same situation as Protestant Dissenters ;⁷ that is to say, the whole disposable forces of the Kingdom might be placed in the hands of a sort of political outlaws, exasperated against the Government which it was their business to maintain,'⁸

¹ Hansard's *P. D.* (second series), vol. iv. p. 1269.

³ *Ibid.* p. 1276.

⁶ *Ibid.* p. 1279.

⁴ *Ibid.* p. 1277.

⁷ *Ibid.* p. 1294.

² *Ibid.* p. 1272.

⁵ *Ibid.* p. 1278.

⁸ *Ibid.* p. 1295.

and having every interest in the destruction not only of the existing law, but also of the liberties of the country.'

Peel at once cited the parallel of the United Provinces under our own Prince of Orange, who 'admitted the anomaly, but held that no danger could accrue to the State therefrom,¹ so long as the Government was still in the hands of Protestants.' And he hurled back Sir James's argument thus,— 'The House having granted the Concessions of 1817, on grounds wholly different from those which were urged in support of the general question, was it fair to urge such Concessions at the present moment as a reason for granting more?'² To which history replies,— 'Fair or unfair, logical or not, it is the inevitable and invariable outcome of every surrender!'

On the main issues, Peel still resolutely argued that it would be 'a greater evil to do away with the exclusion than to continue it;' but, whatever decision the House might come to, 'he would give it his best acquiescence.'

Canning confessed to 'an intense conviction of the great and growing expediency of the measure then proposed.'³ He gave another memorable illustration of his idea of the absurdity of continuing the exclusion, now that the causes of that were for ever taken away, the power of the Pope through the exiled Royal Family,— 'As if a Magistrate, having information that a murder had been committed by a man who wore spectacles and a wig, and having apprehended an individual distinguished by these appendages, should, upon its being afterwards ascertained that no murder had been committed at all, still refuse to relinquish the man, persisting that the spectacles and the wig were the conclusive evidence of the murder.'⁴ And he closed a long historical review with this other humorous settling of his argument,— 'We had frequently been assailed by the prayers of the Roman Catholics,⁵ but we had as oft treated them with scorn, pro-

¹ Hansard's *P. D.* (second series), vol. iv. p. 1298.

³ *Ibid.* p. 1301.

⁴ *Ibid.* p. 1305.

² *Ibid.* p. 1299.

⁵ *Ibid.* p. 1312

posing to do it for their good,—till the Catholic might well say, like the lover to his mistress,—

‘Perhaps it was right to dissemble your love ;
But why did you kick me down-stairs ?’

At which, writes the dusty Annalist, ‘there was fervent and great cheering.’

The second reading was carried by a majority of 11, there being 254 ayes and 243 noes, and the House adjourned at half-past three o’clock in the morning.¹

During the remainder of March, the Bill was making its way through Committee. Many amendments were proposed, and debated at great length; for instance, against the omission of the term ‘spiritual’ from the Oath of Supremacy, against cancelling the ‘Declaration’ about Transubstantiation, against the admission of Roman Catholics to ‘the Privy Council and to the Judicial Offices,’ or to be ‘Governors of Colonies,’ against exacting ‘any securities’ from the Roman Catholic Clergy; but all attempts to break in upon the measure were in vain, and, after three days of exhaustive controversy, it was sent back to the House practically unchanged.²

The third reading was taken on Monday, 2nd April. Sir Wm. Scott, of Oxford University, declaring that this Bill dissatisfied all sides, complained ‘that their manufactory of conciliation was already a bankrupt adventure!’³ He quoted *Selden*,—‘that the Papist, acknowledging the Pope as Supreme Power in this world, cannot enjoy the same privileges as are vested in the other Subjects of this Realm.’⁴ And *Locke*,—‘The Catholics have thought fit to deliver themselves up to the jurisdiction and dominion of a Foreign Power, who not only has the power to require the members of his Church to do what he may think fit for the welfare of his Ecclesiastical state, or Temporal benefit, but to enjoin them to do it under the pain of eternal fire.’ And, finally,

¹ Hansard’s *P. D.* (second series), vol. iv. p. 1314.

² *Ibid.* pp. 1412-1500.

³ *Ibid.* p. 1524.

⁴ *Ibid.* p. 1526.

Blackstone,—‘If once Roman Catholics could be brought to renounce the Supremacy of the Pope, they might quietly enjoy their Seven Sacraments, their Purgatory, and Auricular Confession, their worship of Relics and Imagery, nay, even their Transubstantiation! But, while they acknowledge a Foreign Power superior to the Sovereignty of the Kingdom, they cannot complain if the laws of that Kingdom will not treat them on the footing of good subjects.’

Sir William, having produced these and other authorities, ‘entirely concurred with Dr. Milner and the Roman Catholic Clergy, who found themselves unable to take the Oath prescribed in the Second Bill. That Oath recognised, on their part, a free and undivided allegiance which was due unto the King. Now, what in law was that allegiance, but an allegiance in Spiritualities as well as in Temporalities?’

He also commented on the sinister circumstance that, ‘for the first time, the term “Pope” was prepared to be introduced into a Statute, whereas hitherto it had been the invariable policy and practice to call and consider him as only “the Bishop of Rome.”’¹

Canning ‘conjured them to pass the Bill, regardless alike of angry squabbles without doors and petty difficulties within.’ He was ‘loudly and ardently cheered;’ and the third reading was carried by a majority of 19, though there were still 197 noes against 216 ayes, proving that the House was lamentably divided, and rather unprepared for so great a venture.²

The very next day, April 3rd, this third attempt at a Roman Catholic Relief Bill was on its way to the House of Lords. It was ‘brought up’ from the Commons by Sir John Newport, accompanied by a number of Members ‘unusually large.’³

¹ Hansard’s *P. D.* (second series), vol. iv. p. 1527.

² *Ibid.* p. 1548.

³ *Ibid.* vol. v. p. 1.

The Earl of Donoughmore, in moving that it be 'read a first time,' revealed a split in the camp, when he expressed the hope of making 'such amendments as would remove the very natural objection on the part of the Catholics, without failing to give those securities which the Protestant Establishment in Church and State had a right to expect.'

The Earl of Liverpool 'intimated candidly that he should object to the second reading. He could not agree to confer on the Roman Catholics privileges to the extent proposed in the first part; and, even if his mind were made up to that, he should object to the clauses relating to the Clergy in part second, as taking away all the grace of concession, besides being in themselves impolitic and unjust.'¹

In the meantime, petitions kept pouring in from both sides, adding to the perplexities of the situation. Mr. Spring Rice, for instance, on April 11th, presented to the Commons a Memorial from 'the Roman Catholic Bishops, and between eighty and ninety of the Clergy, of their Diocese of Limerick,' declaring that they were ready to testify, in any manner that might be required of them, their unbroken and undivided allegiance to his Majesty—that there is no language too strong or too significant to express the sincerity of their disclaimer of Foreign Authority; but that they object, on religious grounds, to the Second Bill which had been lately introduced to the House.'²

On the other hand, directly in the teeth of that, and showing how Parliament and the Nation were being bamboozled and befooled by Jesuitical declarations, Earl Grey presented to the Lords, among other Petitions, one from the 'Roman Catholic Peers of this country,' affirming that 'the Bill received their full concurrence.' And, amongst the names to that Petition, we find those of Norfolk, Shrewsbury, Arundel, Clifford, and Stourton.³

¹ Hansard's *P. D.* (second series), vol. v. pp. 1, 2.

² *Ibid.* p. 153

³ *Ibid.* p. 217.

The debate proper was begun by Donoughmore on Monday, April 16th. He was scarcely resolved whether to bless or to ban the measure, intimating many and vital 'amendments,' and 'having no objections if the whole of the provisions of the Second Bill were entirely expunged !'¹

The Earl of Mansfield wished it to be 'read a second time that day six months,' maintaining that 'such was the nature of Popery,'² however it might seem to vary, that it ought always to be guarded against—remove that guard, and the evil will show itself as before. It was 'like the story of the jar in the Oriental tale, wherein, when the cover was taken off, a column of smoke issued forth, and the imprisoned giant gradually rose till his head struck the skies; and, as the Roman Catholic Religion would do, the monster was no sooner set free from restraint than he inflicted pain and misery all around.'

Lord Redesdale held that 'Exclusion' was Security, and the 'only Security on which they could rely.' The objection 'that weighed most strongly with him was that the Roman Catholic Religion allowed no man the complete possession of his own conscience.'³

The debate was adjourned to another day, when Lord Chancellor Eldon mercilessly attacked the bill, with proposed securities 'which the Roman Catholics will not only refuse, but which they deem a gross insult to have been suggested to them !'⁴

He again turned to Locke, and found him saying,—'The Church of Rome is constituted on such a bottom that all those who enter into it deliver themselves up to the service and protection of another Power, who has power to persuade all the Members of his Church to do whatever he lists, either as purely religious, or *in ordine ad Spiritualia*.⁵ And then the Chancellor continued,—'Now it is most

¹ Hansard's *P. D.* (second series), vol. v. p. 229.

² *Ibid.* pp. 234, 238.

³ *Ibid.* pp. 257, 258.

⁴ *Ibid.* p. 289.

⁵ *Ibid.* p. 293.

singular that our Oaths of Supremacy were adopted for the express purpose of "unriveting," as Lord Hale says, those errors which, notwithstanding our Oath of Allegiance, had crept in, in consequence of the Roman Catholics deeming to be "Spiritual" *whatever they thought proper to consider Spiritual*. And it is now proposed to us to reform that Oath of Supremacy by substituting another, which will leave it open to the Roman Catholics to introduce those very evils which the Oath of Supremacy was intended to guard against.¹

Turning to the argument that the times were changed, and the Catholics too, Eldon retorted,—‘It may be that the Church of Rome has changed some of its tenets.² Its Protestant advocates tell us so. Its own Roman Catholic defenders deny it! But, in any case, we are led not to doubt that the present Pope has re-established the Order of the Jesuits, and that the Inquisition has been revived. We have heard of Bulls against Protestant Societies for distributing the Holy Scriptures. We have heard of an Establishment at Stonyhurst and of Jesuits there. We have been told that in Ireland, where the Roman Catholic Hierarchy exists, they have their Synods and Courts, and they are misrepresented if they do not use their Excommunication, and their refusal to give the Sacraments, for purposes difficult to consider as of a purely Spiritual nature, or to reconcile with the laws of the land. For, as Lord Clare declares, "*Canonical obedience to the Pope is inconsistent with the duties of Civil Allegiance to a Protestant State.*"³

‘The great Lord Hardwicke affirms,’ continued the Chancellor,—“The present happy settlement of the Crown is in truth, and not in name only, the *Protestant* Succession; and the inviolable preservation of that wise and fundamental law, made since the Revolution, whereby every Papist is

¹ Hansard's *P. D.* (second series), vol. v. p. 295.

² *Ibid.* p. 317.

³ *Ibid.* p. 318.

absolutely excluded from inheriting the Crown, will be the solid security to our posterity against all who shall watch for the destruction of our Liberties." That solid security to your Liberties you can never find by excluding a Papist from the Throne, and then surrounding your Protestant King with Popish Advisers.¹

When the vote was taken, the contents were 120, the non-contents, 159. Thus ended the Third Roman Catholic Relief Bill—rejected by a majority of 39.²

SECTION XVII

Fourth Roman Catholic Relief Bill

THE third session of the Seventh Imperial Parliament began in February 1822, and the House of Commons immediately found itself sailing again on the same troubled waters. Canning gave notice, on March 29th, of a motion 'for leave to bring in a Bill to repeal so much of the Act of 30th Charles II. as debars Roman Catholic Peers from exercising their right of sitting and voting in the House of Lords.'³ And Plunkett, now Attorney-General for Ireland, intimated that as 'they were the last to be deprived of their rights and dignities, so they had a strong claim to be the first to be restored to them.'⁴ And this, which came to be known as the 'Peers' Bill,' was really the Fourth Roman Catholic Relief Bill, at which we must, for the completeness of our historical picture, glance in passing.

On April 30th, after Peel had presented a petition against the proposal from the University of Oxford, Canning launched his measure, and expounded and defended it.⁵ The objection, 'that it was an insidious attempt to attain a partial decision

¹ Hansard's *P. D.* (second series), vol. v. pp. 318, 319. ² *Ibid.* p. 356.

³ *Ibid.* vol. vi. p. 1387. ⁴ *Ibid.* p. 1388. ⁵ *Ibid.* vol. vii. p. 211.

on the whole of what was called the Catholic Question,' he answered by reminding the House that 'he had never appeared as the sworn advocate of the Roman Catholics, that he had never pleaded for them except on public principles—on principles of State policy and National benefit.'¹

He averred that 'the whole of the Penal Enactments, which now remained in force, originated under Charles II., and all sprang from the dread of a Popish Successor,' and asked,—'why continue the penalties, now when all peril is past, and the necessity exists no longer?'² Goaded on by that dread, and by the perjuries of the Popish Plot, the Bill was hurried through, which he now sought to repeal, 'excluding all Catholic Peers from their seats,' though the Lords 'exempted H. R. H. the Duke of York.'³ One of the deprivations had already been done away—by Mr. Mitford's, now Lord Redesdale's, Act of 1791—by 'the repeal of the penalty on a Roman Catholic Peer for coming into His Majesty's presence, or into the Court where the King resided;'⁴ while the other, 'exclusion' from Parliament, 'was still maintained.'

At the Coronation, 'see a further anomaly.' Last year, 'who was it that overtopped all the Barons as they marched? The Catholic Lord Clifford. And who did homage on behalf of the highest order of the Peerage? The Catholic Duke of Norfolk. Did it occur to the Representatives of Europe, that he, who headed the procession of the Peers that day, could not sit among them as their equal on the morrow?'⁵

Canning closed, declaring,—'The right taken away is definite and personal, and the privation is, therefore, the more severe. As to the Catholic Commoner—he is not an M.P.; what of that? Millions of his fellow-subjects are the same! But the Catholic Peer bears about with him the badge of his personal exclusion.'⁶ So that the coronet, that sparkles on

¹ Hansard's *P. D.* (second series), vol. vii. p. 212.

² *Ibid.* p. 223.

³ *Ibid.* p. 226.

⁴ *Ibid.* p. 230.

⁵ *Ibid.* p. 233.

⁶ *Ibid.* p. 242.

the Duke of Norfolk's brow, brands rather than distinguishes its illustrious possessor.'

Peel, on the other hand, with unwincing logic, replied, 'that there were no reasons, no Constitutional ground, no ground of policy, for attempting to remove from Peers those Disabilities to which the Commons were still to remain subject.'¹

As to the assertion that Roman Catholic Peers sat in the Peers' House 'from the Reformation till 1678, while Roman Catholics had, during that period, been excluded from the House of Commons,' he reminded them of Plunkett's contrary contention, and keenly retorted,—'When the general question is before the House, it is then argued that, up till 1678, every rank was open to the Roman Catholics, and it was a mistake to regard the exclusion as coeval with the Reformation; but, when the particular case of the Peers is submitted, the plea is reversed! Sir Solomon Swale's case is forgotten, who was expelled the House the year before the Act of 1678; and the very title of the Act is passed by, 'which was "for Disabling Catholics from sitting in either House of Parliament." They contradict each other. The House cannot follow both.'²

Peel, reviewing the times, further 'denied that the Exclusion of the Peers was to be traced to the Popish Plot.' It was to be 'accounted for by the whole history of that era, and it was confirmed at the Revolution.' Let any man look to the period of Charles II., and, 'whether he might think the story of Oates a fabrication or not, he would find that there then existed, against the Religion and the Liberties of this country, a formidable and infamous conspiracy. As Dryden had crystallised it for us—

"Some truth there was, but dashed and brewed with lies,
To please the fools and puzzle all the wise;
Succeeding times will equal folly call—
Believing nothing, or believing all!"³

¹ Hansard's *P. D.* (second series), vol. vii. p. 246.

² *Ibid.* p. 250.

³ *Ibid.* p. 253.

As to the events of the Coronation Day, Peel almost fiercely rejoined, 'If it were explained to these Foreign Representatives that the Constitution was essentially Protestant,—then their admission to all honours, consistent with the preservation of that Political principle, would be rather deemed a mark of liberality and wisdom ;' and he hoped that their right honourable friend 'would not take advantage' of such courtesies to force on further and altogether different Concessions.¹

Despite all logic, however, and whether answerable or not, the House passed the first reading of the Bill by a majority of 5, the vote standing thus—ayes 249, noes 244. The second reading was carried on May 10th by a majority of 12 ; and the third reading, seven days thereafter, practically unopposed,² manifesting the determination of the Commons in this Parliament to be rid of the Roman Catholic Question by almost any door that could be opened.

Peel admitted that 'the sense of the House had been fairly taken,' and frankly refused to persist in 'unavailing opposition ;' but he warned them that 'his acquiescence sprang, not from any want of decision as to the principles at stake, or from any diffidence as to the opinions he had always held and delivered.'

And Canning handsomely responded 'that next to the gratification he should have felt in having his right honourable friend for a supporter, was the satisfaction of having had such an opponent.'

Sir Thomas Lethbridge, from a different point of view, and in terms that have become classic, 'thanked God that there were three estates in this realm—King, Lords, and Commons !' How often since, more in jest than the grave Sir Thomas can be supposed to have been, have politicians found themselves 'thanking God for the House of Lords !'³

¹ Hansard's *P. D.* (second series), vol. vii. p. 257.

² *Ibid.* pp. 278, 518, 673.

³ *Ibid.* p. 673.

On Friday, June 21st, the Duke of Portland is warmly commending the 'Roman Catholic Peers' Bill' to the Upper House. He 'regretted that his ignorance of the law had made him so long a party to its continuance; and he had great satisfaction in endeavouring to atone for that, by now moving the Second Reading of the Bill.'¹

Lord Erskine grew enthusiastic and exclaimed,—'I am a man of Scotland, my Lords, bred from the beginning of my days in what Burke has called the "Protestantism of the Protestant Religion," which I shall ever adhere to! But I can never believe that either the Protestant Faith, or our Protestant Establishment, can at all suffer from our establishing the birthrights of calumniated Catholics, which is all that is demanded of us by this Bill.'²

Lord Chancellor Eldon as hotly opposed the concession, —'If they were of opinion that the Catholic Religion ought to predominate, they should say so. One or other, they were bound to say. An Act to "repeal the Acts imposing restrictions on Roman Catholics" was an Act to restore the Supremacy of the Pope.'³

The Earl of Liverpool had 'no difficulty in saying to the Duke of Norfolk, or to any Catholic Peer, that he had no right to be placed *on a better footing than the King on the throne!*'⁴

The Peers marked their just aversion to all partial legislation of this kind by a majority of 42, there being 129 contents and 171 non-contents.⁵ This despatched the fourth attempt at a Roman Catholic Relief Bill; and once more, doubtless, Sir Thomas Lethbridge 'thanked God for the House of Lords!'

¹ Hansard's *P. D.* (second series), vol. vii. p. 1217.

³ *Ibid.* p. 1230.

⁴ *Ibid.* p. 1246.

² *Ibid.* p. 1229.

⁵ *Ibid.* p. 1262.

SECTION XVIII

*Thirteenth 'Emancipation' Debate and Fifth and Sixth
Relief Bills*

THE fourth session of this same Seventh Imperial Parliament was full of lively episodes, and not a few surprises, on the great 'Catholic Question.' It opened in February 1823; and, on March 5th, Sir Thomas Lethbridge was again to the front. This time, he delivered his soul against the Jesuits by presenting a petition, on that unsavoury theme, from 'William Parker of the City of Cork.' He ascribed most of the calamities which afflicted the world 'to the Jesuits, who, under pretence of being a Religious Society, were, in fact, a formidable Political Sect.¹ In the words of Hume,—“they must bear the reproach from posterity that, by the very nature of their Institution, they were engaged to pervert learning, the only effectual remedy against superstition, into the nourishment of that infirmity; to refine away the plainest dictates of morality; and to erect a regular system of casuistry, by which prevarication, perjury, and every crime, when it served their ghostly purposes, might be justified and defended.”²

The petitioner reminded the House, that Jesuits, founded by Pope Paul III. to counteract the Reformation, 'had been driven out by the Emperor of China in 1726; from Paraguay in 1733; from France in 1763; from Bohemia and Denmark in 1766; from Naples and Malta and Parma in 1768; and from Spain and Venice and Genoa in 1797.' And he quoted the Right Hon. W. C. Plunkett, in the recent trials, as asserting that 'this secret Popish Association would shake the Constitution to its centre.'³

¹ Hansard's *P. D.* (second series), vol. viii. p. 436.

² *Ibid.* p. 437.

³ *Ibid.* p. 438.

By way of blunting the edge of this petition, a Mr. Wilmot declared to the House that this same William Parker 'imputed the failure of the harvest at the Cape, and all his own misfortunes, to Colonel Bird's Jesuitical principles!' And Mr. Hobhouse facetiously pleaded 'that the petitioner would come to the Bar, and bring a real live Jesuit with him! He had travelled far, and never met one. He should be really glad to see what sort of animal it was with which they had to contend.'¹

On 17th April 1823, after several petitions for and against had been read, began what we may classify as the Thirteenth 'Emancipation' Debate.²

It was ushered in by a most memorable episode. A petition in favour of concession having been read from the 'Clergy of the Diocese of Norwich,'—Sir Francis Burdett, the popular Member for Westminster, rose up in his place and solemnly denounced these debates as 'an annual farce,' and as merely sowing the seeds of 'well-grounded discontent.'³ Two nights ago, they had heard from the Secretary for Foreign Affairs, the former eloquent advocate of Catholic Claims (Canning had now joined the Government), that 'there was not the least chance of this question being carried.' And, turning to Canning, he exclaimed,—'Then why did the right honourable gentleman consent to practise a deception on the House, irritating and exciting a generous people only to plunge them into despair, knowing at the very moment he was vapouring in the cause of the Catholics, that his exertions must be utterly fruitless of benefit, and become a fertile source of irritation and discontent?'⁴ He closed by denouncing 'that impotent and scandalous system of Polity, which sacrificed principle to the love of place, and made a despicable compromise between eternal justice and private interest;' and thereon proceeded to leave the House, inviting

¹ Hansard's *P. D.* (second series), vol. viii. pp. 441-442.

² *Ibid.* p. 1070.

³ *Ibid.* p. 1071.

⁴ *Ibid.* p. 1072.

others to follow him, rather than take part in this farce of a debate!¹

But, ere he could retire, Canning rose instantly 'to contradict flatly and *in toto*, in the Honourable Baronet's presence, the words he had attributed to him.'² He had never considered the Catholic Question hopeless; 'but he had considered, and did consider, it hopeless at present, to form an Administration agreed upon this measure, and also upon the other general measures necessary to carry on the business of the nation.' And he closed with the stinging rejoinder, — 'It would be idle to say, after the acclamations with which the Honourable Baronet's threat of secession had been received, that the chances of success for this question had not diminished—they certainly had!'³

In the same strain, though from the other side, Peel, who had lately returned to the Office of Home Secretary, protested 'that he would rather submit to eternal exclusion from Office, and perhaps he should consider that as no very great sacrifice, than consent to hold power by a compromise, or by anything approaching to a compromise, of his opinions.'⁴ It need scarcely surprise any one that, at a later day, these fiery protests were quoted against himself, and recited again and again to Peel's life-long chagrin!

Up rose then Henry Brougham, whom no one would suspect of any virtuous intention to pour oil on the troubled waters. He pictured Canning as having agitated the alternatives, 'whether to go to India to a post of honourable exile, or to take Office in England, and be condemned to hard labour in this country;' and described him now as 'sitting with his enemies, and pitied by his friends, with his hands chained down and tied.'⁵ At that critical moment, 'when his fate depended on Lord Chancellor Eldon and his sentiments upon the Catholic Cause,—at that critical moment, he who

¹ Hansard's *P. D.* (second series), vol. viii. p. 1073.

² *Ibid.* p. 1081.

⁴ *Ibid.* p. 1088.

² *Ibid.* p. 1078.

⁵ *Ibid.* p. 1089.

had said that he would not truckle to Lord Folkestone, then exhibited a specimen, the most incredible specimen, of monstrous truckling for the purpose of obtaining Office, that the whole history of Political tergiversation could furnish.¹

Canning instantly sprang to his feet, and, with great deliberation, uttered these words,—‘I rise to say that that is false!’² For some seconds a hush of perfect and breathless ‘silence’ fell on the House. The Speaker, being the first to recover breath, expressed a hope that the Right Hon. Secretary ‘would retract.’ Canning was ‘sorry if he had been guilty of any violation of the decorum of the House; but nothing, no consideration on earth, should induce him to retract the sentiment.’ He regarded it as a question of ‘personal honour,’ and was willing to risk all the consequences. Some showed an inclination to resume the debate. But the Speaker renewed his appeal,—anxious lest the matter should go out of doors and be ‘settled’ there. Canning reaffirmed that he could ‘neither recall nor vary the expression,’ but added that he was ‘quite prepared to submit, with perfect humility, to any censure the House might pass.’³ It was thought to cut the knot by a motion,—‘committing both Members to the custody of the Serjeant-at-Arms.’ But at length Brougham ‘vindicated himself on public grounds, and denied all imputations of personal motives.’ And Canning interposed to declare ‘that he would think no more of it!’⁴ While Brougham, re-echoing the same phrase, that ‘he too would think no more of it,’ went on lashing them with his vitriol tongue, and protesting that ‘to abandon the Catholic Cause, because they doubted some of its allies, would be like a man who having built a house pulled it down to destroy a rat. He thought of the building, he cared not for the vermin!’⁵

This fiery episode being past, the petition was ordered to

¹ Hansard’s *P. D.* (second series), vol. viii. p. 1090.

³ *Ibid.* p. 1094.

⁴ *Ibid.* p. 1102.

² *Ibid.* p. 1091.

⁵ *Ibid.* p. 1103.

lie upon the table, and Plunkett rose to introduce the general debate. Thereon, Sir Francis Burdett, Lord Sefton, and a considerable number of the Opposition, 'ostentatiously left the House.'¹ The introducer of the debate 'rose under circumstances of extraordinary difficulty.' But he had always considered this Catholic Question as 'too high for Party ;' and his coming over from the one side of the House to the other 'had not injured him, in the opinion of Catholics, as an advocate of their cause, nor affected the unalterable zeal with which he had ever supported their claims.'² He traversed learnedly and eloquently over all the familiar ground—predicting that, if 'the bill were passed, not so many as twenty Roman Catholics would ever be seen in Parliament,' and still urging the necessity for 'adequate securities,' as he 'should object to the passing of any bill without them.'³ Then he moved 'for a Committee of the whole House to take into consideration the state of the laws as to Oaths or Declarations,' and decide 'how far it was expedient to alter or to modify the same.'⁴

The House at once took the bit between its teeth, and determined to make a rush for the goal. It rang from side to side with loud cries of 'Question! Question!' Mr. George Bankes tried to speak, but, through the interruptions and cries of 'Question,' the House heard only predictions about 'the overthrow of the Protestant Establishment,' and a vigorous protest,—'that if they could not go back, they could at least stand still.'⁵ A Mr. Lambton, amidst continued 'cries and uproar,' made them hear 'that he would not vote for the motion, because he considered it a gross deception!'

All attempt at speaking was now boisterously shouted down. The House heard nothing, for several minutes on end, but cries of 'Question! Question!' and 'Adjourn! Adjourn!' At length 'the galleries were cleared, all strangers excluded,

¹ Hansard's *P. D.* (second series), vol. viii. p. 1106.

³ *Ibid.* p. 1112.

⁴ *Ibid.* p. 1121.

² *Ibid.* p. 1110.

⁵ *Ibid.* p. 1122.

and the House sat with closed doors for an hour and a half. Motion and counter-motion had filled up these heated moments—'that the House adjourn'—'that the debate be adjourned'—'till the following day'—'till Monday next'—'till that day six months.' Finally, at half-past one o'clock in the morning, by 313 ayes against 111 noes, it was resolved 'that the House do now adjourn.'¹

Thus, technically, a vote on Plunkett's motion was altogether evaded; and the majority of 202 cannot fairly be counted as recorded against it. The debate was cleverly shelved; and the Roman Catholic Question, in that form at least, was choked off for another session. Alas, as the sorely-tried patience of the historian knows, it had a supernatural capacity for reappearing in multitudinous other forms!

Within the short period of six weeks, on 28th May 1823, Lord Nugent comes upon the scene with what he calls the 'Roman Catholic Tests Regulation.' He described its object to the Commons as this,—'To equalize the laws affecting Roman Catholics, by placing those of Great Britain in the same situation, with respect to Civil Rights and Franchises, as those of Ireland.'² In this History we shall name it the Fifth Roman Catholic Relief Bill. Reviewing the grant of the Franchise to Irish Catholics in 1793, he tersely and justly complained that 'British Catholics were still debarred from the Elective Franchise;' and also that 'nothing but an act of perjury could qualify them to act in the King's Commission of the Peace.'³

Peel at once allowed that he was willing to 'admit the English Catholics to the Elective Franchise; but that he should strenuously resist their being themselves elected.' As to Magistracy, and subordinate Offices, he 'should not object to make the English Catholics eligible,⁴ provided that

¹ Hansard's *P. D.* (second series), vol. viii. p. 1123.

² *Ibid.* vol. ix. p. 574.

³ *Ibid.* p. 577.

⁴ *Ibid.* p. 587.

they were thereby placed in no better situation than the Protestant Dissenters.'

Leave was accordingly granted to bring in the bill.¹ The Second Reading Debate was taken on June 18th. It was read a second time, and sent to Committee. There Peel argued against 'the Repeal of the Oath of Supremacy in England ;'² but otherwise he felt himself justified in supporting the measure 'without the compromise of any principle—the granting of the Franchise did not necessitate the granting of the right to sit in Parliament.'³ He denied that this bill 'bound its advocates to the support of ulterior measures.'⁴

The vote stood 89 for, and only 30 'against.' So it was reported to the House, and passed.⁵

It comes before us, in the Upper House, on July 9th, as the 'English Roman Catholic Elective Franchise Bill,' having assumed this more definite designation in the course of debate.⁶

The Marquis of Lansdowne presented it as 'really two Bills.' Eldon characterised it as 'most extraordinary legislation.' If it meant to absolve Roman Catholics from taking the Oath of Supremacy,—'why was not that stated in the preamble?' He would never admit that any man could be said to bear a true and faithful allegiance, who denied the Supremacy of the Crown.⁷ Then, as if to demonstrate the helpless diversity of the Cabinet, the Earl of Liverpool 'would give his support to the one bill granting the Elective Franchise to English Roman Catholics ; but he would object to the other bill respecting their eligibility to certain Offices.'⁸

There were at this vote 73 contents and 80 non-contents. So this Fifth Relief Bill perished out of Parliamentary view, like those that had gone before.⁹

The fifth session of this Seventh Imperial Parliament,

¹ Hansard's *P. D.* (second series), vol. ix. p. 592.

² *Ibid.* p. 1137.

³ *Ibid.* p. 1344.

⁴ *Ibid.* p. 1345.

⁵ *Ibid.* p. 1348.

⁶ *Ibid.* p. 1476.

⁷ *Ibid.* p. 1485.

⁸ *Ibid.* p. 1487.

⁹ *Ibid.* p. 1489.

however, found no relief from these unrelenting agitations. It opened in February 1824; and, on 9th March, the bearer of the honoured name of Grattan presented a 'Petition on Education,' from the Roman Catholic Bishops and Clergy, which is of some interest in this History.¹

It reminded the House that, while 'insisting on religious instruction as the basis of the education of all youth in their Communion,' Roman Catholics 'had ever considered the reading of the Sacred Scriptures by children as an inadequate means of imparting to them religious instruction, as a usage whereby the word of God is made liable to irreverence, youth exposed to misunderstanding its meaning, and thereby, not infrequently, to receive in early life impressions which may afterwards prove injurious to their own best interests, as well as to those of the society which they are destined to form.'²

And, finally, the petitioners focussed their desires in this emphatic sentence,—'That any system of education incompatible with the discipline of the Roman Catholic Church, or superintended exclusively by persons professing a Religion differing from that of the vast majority of the poor of Ireland, cannot possibly be acceptable to the latter.'³ Through all which, as through a loophole, many things can be seen and read that throw light on that time and on this.

Passing to the House of Lords, on May 24th, we find ourselves in the thick of a conflict over what may be classed as the Sixth Roman Catholic Relief Bill.⁴ There were again really two bills,—the one conferring 'the same privileges, as nearly as possible, upon the Roman Catholics of England, as had long been enjoyed by those of the same faith in Ireland;' the other having 'a similar object with reference to Offices.'⁵

Manifestly, we are back on the old fields. Lansdowne rested the whole case on one single ground,—'that every

¹ Hansard's *P. D.* (second series), vol. x. p. 837.

³ *Ibid.* p. 846.

⁴ *Ibid.* vol. xi. p. 815.

² *Ibid.* p. 844.

⁵ *Ibid.* p. 818.

individual, whatever his opinions, was entitled to every privilege enjoyed by other subjects, unless it could be shown that giving him such principles would be contrary to the safety of the State.¹

Colchester offered his 'unqualified opposition' to their admission to any offices conferring Civil or Political power or jurisdiction in a Protestant State, and hence to the granting of the Elective Franchise; but he explained himself thus,—‘To deal fairly by the House, I profess that my fears are less of the present or future numbers of the Roman Catholics, than of the known and fixed principles and spirit of the Roman Catholic Church; and I hope I may speak without personal offence to any man when I say that I fear them because I respect their sincerity.’²

Dr. Henry Ryder, Bishop of Lichfield, illustrating once more how men's minds were being cleft in twain by this all-dividing theme, considered ‘the essential qualities of a sincere Roman Catholic ample grounds for his persevering in resisting any attempt to promote their eligibility to Parliament;’ but, at the same time, held ‘that the right of the Elective Franchise stood on an altogether different foundation.’³

Eldon asked incisively,—‘On what ground could the Right Reverend Prelate grant the right of election, without granting that of being elected?’

He held it further to be his ‘bounden duty, in the particular situation in which he was placed, to take care of the Supremacy of the Sovereign;’ and argued that no person ought to be a ‘subject of this country, and to enjoy the privileges of this bill, without taking the Oath of Supremacy.’⁴

On the other hand, the Earl of Liverpool ‘supported’ the bills.⁵ But the House had determinedly set itself against all piecemeal dealing with such a question. So the first bill was rejected by a majority of 38, and the second by a

¹ Hansard's *P. D.* (second series), vol. xi. p. 818.

² *Ibid.* p. 833.

⁴ *Ibid.* p. 838.

² *Ibid.* p. 826.

⁵ *Ibid.* p. 840.

majority of 34. And thus ended the sixth attempt at a Bill for the Relief of Roman Catholic Disabilities. The time was certainly not ripe; and, above all, the man had not yet come, or rather had not yet discovered himself, who could on any terms carry such a measure.

During the remainder of this same session of 1824, the 'Catholic Association' caused strong mutterings in the House of Parliament. Petitions from Ireland complained 'that, if not the full cause, it was at least one essential cause of the dissensions there,—that it was now sitting in a form almost Parliamentary in the Irish Metropolis,—that it had its Sessions, Committees, Petitions, and Committee of Grievances,—that it ordered a Census of the Population, and that it levied a tax upon the Nation which they called the Catholic Rent.'¹ On 16th June, Mr. Brownlow, returning to the attack, said that 'the Association had been properly described as the "bellows-blowers" who fanned the bad passions of their countrymen into flames of discontent.'²

Then again, on 14th June, another fly-kite was blown into the air, to see how the wind was veering. Mr. Dominick Browne wished to put a motion on the Journals, 'early next session, to address his Majesty, to adopt such measures as shall seem meet for forming an Establishment of the Roman Catholic Religion in Ireland.'³ But this glaring fly-kite had to be ignominiously hauled down. Canning denounced it. Peel flatly declared that 'no circumstance would induce him to agree to such a motion.' It was without ceremony at once 'withdrawn.'⁴ That Parliament, at least, would not listen to the Establishment of Popery in Ireland, whatever else it might dally with!

¹ Hansard's *P. D.* (second series), vol. xi. p. 943.

² *Ibid.* p. 1198.

³ *Ibid.* p. 1427.

⁴ *Ibid.* p. 1428.

SECTION XIX

*The 'Catholic Association' and the Fourteenth
'Emancipation' Debate*

THE sixth session of the Seventh Imperial Parliament proved to be one of the most vital in our History. The Catholic Question, in one shape or another, and the State of Ireland, occupied Parliament by night and by day. We must allow ourselves time to carry away some vivid picture of its scenes.

It began to sit, as usual, in February 1825 ; and, so early as the 7th of that month, we find Brougham moving for a 'Call of the House,' in order to discuss the question of 'Unlawful Societies in Ireland ;' and Mr. Goulburn moving for 'leave to bring in a Bill' on the same subject.¹ On the 10th he explained the nature of his projected measure. It was to amend certain Acts, and particularly 'the Convention Act of 1793.'² This new 'Association,' or rather resurrection of old Societies, came into view in 1823, its avowed aim, according to published debates, being 'Parliamentary Reform and eventual Separation.' It had arrogated to itself 'the prerogatives and privileges of the Crown in the interests of a faction.'³

The debate was adjourned at two o'clock in the morning of Friday. Being resumed that evening, it was again adjourned, after long and fiery speeches, at half-past one o'clock on Saturday morning. Sunday intervened. On Monday, February 14th, the conflict raged on once more through a similar sederunt ; and, on Tuesday, came the greater warriors and the final vote.

When Sir Francis Burdett took the floor, the old

¹ Hansard's *P. D.* (second series), vol. xii. p. 124.

² *Ibid.* p. 168.

³ *Ibid.* p. 185.

Chronicler tells us, — ‘there was an immediate rush of Members into the House and to the front of the side galleries.’¹ He vindicated O’Connell’s use of the language,— ‘By the hate you bear to Orangemen,’ proceeding to quote, by way of parallel, the language of Burns—

‘By oppression’s woes and pains !
By your sons in servile chains!’

and he condescendingly informed the House that these words were called the ‘Address of Wallace (!?) to the Scottish Army.’ But perhaps the information was good enough for an audience that was expected to stomach the ‘parallel’—as if Ireland, like the Scotland of Bruce, were on the battlefield and fighting for very existence! More cleverly, Sir Francis then declared that ‘the Cabinet sat for the picture which Milton drew of Chaos,’ and electrified the House about ‘Eldest Night and Chaos, ancestors of Nature, holding eternal anarchy.’² And, looking towards Canning and Peel, he exclaimed—

‘Chaos umpire sits
And by decision more embroils the fray,
By which he reigns : next him, high arbiter,
Chance governs all.’

But Canning, unmoved, set himself to a serious and statesmanlike discussion of the Catholic Association,—‘Self-elected, self-constructed, self-assembled, self-adjourned, acknowledging no superior, tolerating no equal, interfering in all stages with the administration of justice, denouncing publicly before trial individuals against whom it institutes prosecutions, rejudging and condemning those whom the Law has acquitted, menacing the Free Press with punishment, and openly declaring its intent to corrupt that portion of it which it cannot intimidate, and, lastly, for these and other purposes, levying contributions on the people of Ireland,—is this an Association which, from its mere form

¹ Hansard’s *P. D.* (second series), vol. xii. p. 447.

² *Ibid.* p. 449.

and attributes, without any reference whatever to religious persuasion, the House of Commons can be prepared to establish by a vote declaring it to be not inconsistent with the spirit of the Constitution?'¹

Brougham next rushed into the fray, and gave considerable zest to an already threadbare theme. He boldly declared himself 'a defender of the Catholic Association.'² He made a forcible-feeble attempt to draw a parallel 'between the "Catholic Rent" and the "Church Collections" of the Methodists, whose number was 500,000, as against the 3,000 of the other.'³ But he was more at home, when he unblushingly justified their excesses thus,—'I assert, and I defy contradiction, that the Roman Catholics have never obtained any concession, but when the Government of the day was influenced by apprehensions.'⁴

The vote was taken at half-past three o'clock on Wednesday morning; and the bill was brought in by the sweeping majority of 155—the ayes being 278, and the noes 123.⁵ Whatever might come of the 'Emancipation' Question, it was but too manifest that the 'Catholic Association' had managed to rouse against itself the passionate condemnation of the Commons of Great Britain. On February 21st, the bill was 'read a second time,' by a majority of 146,⁶ and next day passed on to the Committee 'without a division.'⁷ During all these days, petitions 'for and against' kept pouring in upon the tables of both Houses;⁸ and, finally, on February 25th, the third reading was carried by the strong majority of 130. The ayes were 226, and the noes had dwindled now to 96.⁹

The great struggle of the session, however, was that inaugurated by Sir Francis Burdett, on Tuesday, 1st March 1825, on what was entitled a 'Petition for the Equalizing of

¹ Hansard's *P. D.* (second series), vol. xii. p. 465.

² *Ibid.* p. 497.

³ *Ibid.* p. 509.

⁴ *Ibid.* p. 519.

⁵ *Ibid.* p. 521.

⁶ *Ibid.* p. 611.

⁷ *Ibid.* p. 635.

⁸ *Ibid.* p. 666.

⁹ *Ibid.* p. 710.

Civil Rights.’¹ It was said to be signed ‘by a greater number than ever signed any previous Petition to Parliament.’ The parchment measured ‘two feet in diameter, and one hundred in length.’ It was really in form not a petition at all, but a long argumentative speech.

In it the Roman Catholics of Ireland ‘firmly, but respectfully, urged their Claims to Relief from the operation of a “Penal and Exclusive Code of Laws,” by which they are unjustly aggrieved and degraded in this their native land.’ Borrowing, for the nonce, the strains of our Protestant Liberty,—‘they deem it due, in justice and of right, to all classes of his Majesty’s subjects, to be allowed to worship God according to the dictates of conscience, in purity and sincerity, without being subjected thereby, or by reason thereof, to any pains, penalties, or privations whatsoever.’ And, warming to the work, they proclaim,—‘that this principle, which they assert for themselves and for others, is that upon which the glorious Revolution of 1688 was founded!’² We rub our eyes, and read again. Can this cuckoo cry about the ‘Glorious Revolution’ come from the Roman Catholics of Ireland? Ah, we had better learn once for all, and be at peace,—that Petitions are drafted to catch votes, not to convey truth!

This petition having been duly read and presented, Sir Francis Burdett introduced the Fourteenth ‘Emancipation’ Debate.³ Enlarging upon the ‘Treaty of Limerick,’ which the petitioners had strongly insisted upon, he contended ‘that the Catholics of Ireland were thereby admitted to all the Rights enjoyed by English subjects, and that they were not to be compelled to take the Oath of Supremacy.’⁴ He mocked at the so-called ‘Power of the Pope of Rome’ as ‘half historical and half romantic.’⁵ And he moved for ‘a Committee of the whole House to consider the state of the

¹ Hansard’s *P. D.* (second series), vol. xii. p. 757.

³ *Ibid.* p. 764.

⁴ *Ibid.* p. 768.

² *Ibid.* pp. 758-764.

⁵ *Ibid.* p. 769.

Laws by which these Oaths and Declarations are required,' with a view to altering or modifying the same.¹

Mr. Leslie Foster called special attention to 'the very great change of tone, particularly as to the Irish Establishment remaining inviolate. Its abolition was now openly demanded.'² There was an article in the *Edinburgh Review* to prove 'that the abolition of the Irish Protestant Establishment was an indispensable foundation-stone for the prosperity of Ireland.'³

Alas for the Political seers! When we write this page that Church has long since been cast down, but the secret of prosperity to Ireland has yet to be discovered. We are being loudly and blindly assured that new prophets have a vision of its coming,—but only after another concession to the Priests of Rome and their tools, and maybe yet another, and again another! History warns in vain. God dements those whom he would destroy.

Next rose up Mr. Secretary Canning, 'leaning upon his staff, and his tones unheard in the gallery.'⁴ As to the Protestant Establishment, 'he would declare that if his reason could be convinced that they must either stand where they then were, or by proceeding risk that Establishment which was so interwoven with our happy Constitution—he would stand where they then were, at all hazards!'⁵ The facts have actually happened, which the fallacious reasoning of Canning convinced him could never happen. It is thus absolutely certain that could he have truly forecast the facts, he would have devoutly and sincerely opposed the very measure which he so warmly advocated; he stands confessed, in the face of history, as having misled himself and his Country by a false forecast of events, and by expectations since proved to be mere illusions.

In a similar strain, and similarly misled by his own

¹ Hansard's *P. D.* (second series), vol. xii. p. 784.

² *Ibid.* p. 786.

⁴ *Ibid.* p. 791.

² *Ibid.* p. 785.

⁵ *Ibid.* p. 795.

fallacious reasonings, Plunkett 'solemnly assured the House that, though this measure was dear to him as to any man, if he thought it could risk, in any degree, the security of the Church of Ireland, he would be found among its warmest opponents.'¹ This solemn assurance, in the light of after facts, how futile, how tantalizing!

As to 'Remedies,' his mind was clear and resolute,—'(1) I would take away all grounds of grievance by placing the Roman Catholic on an equal footing with the Protestant; and (2) I would make a suitable provision for the Roman Catholic Priesthood.'²

In answer, and gathering up the whole debate, Mr. Secretary Peel delivered one of his most compacted and intellectual speeches,—which has never yet been answered, and which he himself only turned right in the teeth of by-and-bye, but never attempted to answer, or pretended to explain away. He travelled over the whole ground on which the Hon. Baronet had based his argument,—'Positive Treaty, Natural Right, and Prudence or Policy.'³

First, he quoted Sir Thomas Butler, who drafted the 'Treaty of Limerick,' to prove that, 'by the First Article, Roman Catholics were to be exempted from molestation on account of their Religion,⁴—and that, by the other Articles, they might claim the privileges of personal property on taking no other Oath than that of Allegiance;' but he argued that there was absolutely 'no authority for extending that to the enjoyment of Civil Offices.'⁵

Dismissing rather haughtily the second argument that founded on 'Natural Right,' Peel exclaimed,—'I cannot allow any such Claim as an absolute right, and I do not believe that such a doctrine was ever avowed or maintained till very recent times!'⁶ Reviewing all the steps in our Constitutional history, as to Franchise, Eligibility to Parliament, etc., he

¹ Hansard's *P. D.* (second series), vol. xii. p. 803.

² *Ibid.* p. 811.

³ *Ibid.* p. 814. ⁴ *Ibid.* p. 815. ⁵ *Ibid.* p. 816.

⁶ *Ibid.* p. 817.

maintained,—‘that, if that doctrine be correct, our present exclusions from Parliament, and refusals of the Elective Franchise, with respect to others as well as Catholics, cannot be justified;’ and the fact is reduced to this,—‘that if there be a Natural Right, it is sacrificed to State Considerations’¹ in their case, as well as in that of Roman Catholics.

The third line of argument he examined under these two questions of ‘Policy,’—(1) ‘Whether the power sought can safely be granted? and (2) whether, if granted, it will conduce to tranquillity?’² His right honourable friend had asked,—‘Are you afraid of the Pope in these days?’ and his answer was,—‘I am not afraid of the Pope, nor of the Pretender; but I am afraid of a powerful internal Party in this country, of whom great numbers are dissatisfied, as they must be, with the principles of our Religion; and I can never think they are fit to enact laws respecting the Established Religion.’³ He quoted Dr. Doyle as declaring ‘that Emancipation would only lead the passage to “ulterior measures,”’ and closed by renewing his oft-repeated assertion that, ‘for his own part, he openly objected to the principle of the measure.’⁴

This Speech ought to be carefully studied, and fully digested. It will remain an everlasting puzzle in Ethics how this transparently honest and noble statesman should, as we shall immediately see, carry, mainly by his supreme intellectual force, the very measure whose futility he had so unsparingly and unanswerably demonstrated, not for one year, but every year for nearly a quarter of a century!

Brougham, of course, intervened before the vote, eagerly striving to follow Peel, as often as he could get a hearing, through all those debates. In his usual slashing style, ‘for his part, he would make short work of the Treaty of Limerick!’⁵ It had been violated ‘he cared not by whom;

¹ Hansard’s *P. D.* (second series), vol. xii. p. 819.

³ *Ibid.* p. 825.

² *Ibid.* p. 821.

⁴ *Ibid.* p. 827.

⁵ *Ibid.* p. 827.

and that wrong was being perpetuated by the Parliament of the present day.' He ridiculed as 'worse than folly' the pretence that it was 'only Political Disabilities' of which Roman Catholics were deprived—it was the privation of all the Civil Rights best worth enjoying.¹

His passion was not without effect. The vote stood, ayes, 247; noes, 234. Sir Francis Burdett's motion became the decision of the Commons by a majority of 13.² And once more the 'Emancipation' Movement seemed to be entering on the path of victory.

SECTION XX

The Seventh Roman Catholic Relief Bill

THE immediate outcome of this success was the Seventh Roman Catholic Relief Bill. Sir Francis and his friends lost no time. The motion was carried on March 1st, and the bill was read to the House on March 23rd. It became a fiery rallying ground of all the forces, for and against, and the conflict filled up a great part of the remainder of this session.

The bill was 'For the Removal of the Disqualifications under which his Majesty's Roman Catholic Subjects now labour.'³ After a preamble, under five heads of 'Whereas,' the first prayer of the bill was,—'May it therefore please your Majesty that it be enacted, and be it hereby enacted "that such parts of the afore-recited Acts as required certain Declarations against Transubstantiation, Invocation of Saints, and the Sacrifice of the Mass, be absolutely repealed."⁴ The second part of the bill, referring to the Oaths of Allegiance, Supremacy, and Abjuration, proceeded to enact another Oath in lieu and place of the Oath of Supremacy, which

¹ Hansard's *P. D.* (second series), vol. xii. p. 830.

² *Ibid.* p. 840.

³ *Ibid.* p. 1143.

⁴ *Ibid.* pp. 1151-1160.

'might be construed to import a disclaimer of the Spiritual Authority of the Pope or Church of Rome in matters of Religious belief.' And the rest of this section was occupied with the usual 'Provisoes' and 'Exceptions.' The third part of the bill was occupied with the ticklish subject of a 'Commission to superintend Catholic Bishops and Deans, in the taking of this Oath, as a test of their loyalty and good conduct,' and to regulate their intercourse and 'correspondence' with the See of Rome.¹

This measure was the outcome of a quarter of a century's discussion; and it was also the last attempt ever made to meet the Roman Catholic Claims on the old lines, that is, by adjusting them to Protestant interests under various Provisoes and so-called Securities. The Relief Bill that was finally carried, only four years later, was ostentatiously stripped of all such appendages, as we shall duly witness in the progress of our History.

The second reading was debated on Tuesday, 19th April 1825. But, before it could proceed, the table groaned under petitions, 'for and against.'

Mr. Charles Brownlow, for County Armagh, stirred the debate into fervour by an eloquent and significant 'recantation.' He argued that the Catholic Religion 'had now freed itself from the corruptions of the Roman Curia,' and that, therefore, 'the ground on which he formerly stood was gone.'² He exclaimed, taking the Roman Catholics to be honest and independent men like himself, 'that, if Irishmen had not come over here to lie on a great and devilish scale, then no man henceforth could talk of the divided Allegiance of Roman Catholics in this land!'³ He relied on Dr. Doyle's declaration, being examined and under oath,—'that if the Pope were to intermeddle with the Rights of the King, or with the Allegiance which Catholics owe to the King, the Catholic

¹ Hansard's *P. D.* (second series), vol. xii. pp. 1151-1160.

² *Ibid.* vol. xiii. p. 22.

³ *Ibid.* p. 24.

Clergy would oppose him by every means in their power, even by the exercise of their spiritual authority.'¹

This innocent Charles Brownlow is a typical example of the vast majority in that day, who were carried off on a stream of 'Declarations' and 'Protestations,' which the very Roman Catholic Priests who made them soon tore to tatters and fiercely denounced, immediately they had served their purpose, and floated their representatives into the Houses of Parliament and into public Offices.

In response to this, a Mr. William Peel rejoined that 'he saw no signs of a change in the public mind;' and that 'the longer he lived the more danger he saw in granting these Claims.' Above all, 'the present time was most unfit—it was putting too high a price on the faction and violence of the Catholic Association.'²

The debate was adjourned from Wednesday morning till Thursday, April 21st, and could then only be resumed after the presenting of multitudinous petitions 'for and against.'³ In answer to 'loud cries from all parts of the House,' Canning rose 'amidst feelings of the deepest anxiety.'⁴ He still maintained,—'I am for, and this bill is for, a predominant Established Church; I would not, even in appearance, meddle with the Laws which secure that predominance to the Church of England.' But he was for, and this bill was for, 'equalising, not all Religions in the State, but all the Dissenting Sects;⁵ . . . so that the Roman Catholic, as the Protestant Dissenter is at present, should be admissible to all those privileges, subject to an annual renewal of the Act of Indemnity.'⁶

Grappling with the arguments about Spiritual submission to the Pope and Civil allegiance to the King,—Canning passed from again quoting Dr. Doyle to a correspondence between Alexander Pope the Poet, and Atterbury the Bishop

¹ Hansard's *P. D.* (second series), vol. xiii. p. 25.

² *Ibid.* p. 30.

³ *Ibid.* pp. 64-71.

⁴ *Ibid.* p. 84.

⁵ *Ibid.* p. 86.

⁶ *Ibid.* p. 87.

of Rochester, in which the former penned the famous and far-reaching declaration,—‘I am not a Papist, for I renounce the temporal invasions of the Papal power, and I detest their arrogated authority over Princes and States; but I am a Catholic in the strictest sense of the word.’¹

Mocking at and minimising the probable issues of concession, Canning wittily exclaimed,—‘suppose, in the first session, five or six gentlemen are admitted into Parliament. They will be objects of curiosity. We shall scan them with inquisitive glances. We should naturally expect Crucifixes in their walking-sticks, and Relics in their snuff-boxes! All this would soon wear off. The time would come, when we should sit beside them with as much ease as we now manage to sit beside Unitarians—of whom we think more favourably only because they believe less than we do, whereas the Roman Catholics believe more; as if, to use an expression of Burke’s, he were ‘the best Protestant who protests against the greatest number of doctrines!’²

Canning also appealed to them either to ‘show the Roman Catholic a good reason for his exclusion, and then exclude him, and tell him so, for ever; or, if that exclusion was originally enacted on temporary grounds, and if these grounds have ceased to exist, allow that the time for removing it has now come, without being liable to the misconstruction of being forced from us by necessity, or extorted by intimidation.’³

He then carefully analysed the whole bill, particularly showing that the Oath, ‘more like a bill of indictment,’ had been restored to obviate objections. It was ‘the good old Oath of 1793, with all its sinuosities and superfluities,’ and was no late invention of theirs.⁴

He defended, moreover, the proposed ‘Commission for superintending Correspondence with the See of Rome,’

¹ Hansard’s *P. D.* (second series), vol. xiii. p. 91.

² *Ibid.* p. 99.

³ *Ibid.* p. 100.

⁴ *Ibid.* p. 102.

illustrating from his own experience, how a letter from His Holiness was addressed to himself as Foreign Secretary for his Majesty the King—‘which he durst not open, under the penalty of *Praemunire*, and which remained unanswered to this day!’

As to ‘raising the Elective Franchise,’ he might be tempted to approve a ‘little wrong’ in order to obtain ‘a great right;’ and, as to ‘State Provision’ for the Priesthood, ‘the principle was already there in the *Regium Donum* for Presbyterians, which was contributed to by all Catholics who pay taxes—you have only to extend it to Roman Catholics themselves.’ But he would not ‘wed’ himself to these measures, nor to either of them—he ‘stood for the Great Question itself!’

When Canning sat down, after this, one of the most brilliant speeches ever made on that sorely-hackneyed theme, we can readily credit the old annalist who tells us that there were ‘loud and long cheers.’¹

Mr. Secretary Peel, bringing the House back from these fervours of rhetoric, coolly introduced his speech with the remark, that ‘the chief feature of the present discussion had been the conversions of several Members from opponents to supporters,’ and he claimed ‘the same credit for purity of motive in retaining his opinions unchanged.’²

He sarcastically observed that, ‘as to the denial of certain alleged tenets before the recent Commission, since the same denial had already been given by the Six Universities, and the same denial was contained in the Oath now taken by the Catholics themselves, he failed to perceive how the repetition of it by Dr. Doyle should produce such extraordinary effects upon the Member for Armagh (Mr. Brownlow)!’³

He contended ‘that the Constitution was vitally altered

¹ Hansard’s *P. D.* (second series), vol. xiii. pp. 103, 105, 106.

² *Ibid.* p. 107.

³ *Ibid.* p. 108.

by this bill,'¹ which offered no effectual security either for the inviolability of the Protestant Establishment, or for the Protestant Succession to the Crown,—‘If the ancient barriers of the Constitution were broken down, and the Sovereign enabled to surround himself with Catholic advisers, *facilities would be created for the King or Queen becoming a convert to the Roman Catholic faith and adhering to it*—the peace and tranquillity of the Country would rest upon the will of a single mind!’²

As to the Oath being a security, Peel pointed out the practice of the Constitution in analogous cases, such as disqualifying Revenue Officers from voting, or the Clergy from sitting in the House,—‘It founded the “disability” on the undue influence by which it presumed, on the general principles of human nature, these classes would be actuated; it legislated on that ground, and wholly disregarded all securities which declarations, under such circumstances, afforded.’ He was, besides, ‘totally unable to reconcile, with the testimony given by him before Committees, Dr. Doyle’s former acknowledged publications.’³

He objected particularly to incorporating the Priesthood, by a State provision, ‘not because they believed in Transubstantiation, but because he could not reconcile himself to the operation of that Civil System, which he believed to attach to their Religious System, and which held a sway over the temporal conduct of mankind. It was not of the Religious, but of the Civil, tendency of their doctrines that he complained.’⁴

Touching upon the wide difference between what was actually taught, and the practical impression made by it upon ignorant and credulous peasants, he scornfully protested ‘that it afforded him no satisfaction to hear Dr. Doyle describing a “scale” upon which indulgences were estimated—

¹ Hansard’s *P. D.* (second series) vol. xiii. p. 112.

² *Ibid.* p. 113.

³ *Ibid.* p. 115.

⁴ *Ibid.* p. 116.

their extension to seven years, beyond which they could not prevail, or their shorter quarantine of forty days! Enough was it for him to know what must be their effect on the popular notion—the remission of the temporal punishment of sin.¹

Grappling with the frequent objection,—‘Could things remain as they were?’—Peel frankly answered that he would make ‘every reasonable concession to the Catholic, but, at the same time, he would maintain the Protestant character of the Throne, the Parliament, the Church, and the Judicial Bench.’² Beyond that he would not go.

He denounced, therefore, the proposal of a ‘permanent Catholic Commission for the purpose of advising the Crown;’ and boldly maintained that, ‘if once he admitted the claims of the Catholic on the ground that his religious opinions ought to form no disqualification, he would not insult him by making him take this Oath, abjuring the belief that faith ought not to be kept with heretics.’³

A careful reader will easily trace, in this most remarkable speech yet delivered by Peel, the germs of those principles at work in his strangely-constructed mind—a mind which seemed to be fascinated by contradictions—that by-and-bye transformed him into the champion of the very cause which now he sought to destroy.

Such pleading, however honest for the time, could not sway the House to his side. There were 268 ayes, and 241 noes; so the second reading was carried by the substantial majority of 27—substantial, at least, in those days of close divisions.⁴

Three days after, we find His Royal Highness, the Duke of York, on presenting a petition ‘against further concessions’ from the Dean and Canons of Windsor, delivering himself of an extraordinary speech, considering that, in no very impro-

¹ Hansard’s *P. D.* (second series), vol. xiii. p. 116.

² *Ibid.* p. 117.

³ *Ibid.* p. 120.

⁴ *Ibid.* p. 123.

bable eventuality, he himself might yet come to the Throne. Declaring that they were now 'required to surrender every principle of the Constitution, and deliver themselves up, bound hand and foot, to the mercy and generosity of the Roman Catholics, without any assurance even that they would be satisfied with such concessions,' he comforted himself in the reflection that 'the King was the third part of the State, without whose voluntary consent no Act of the Legislature could be valid, and he could not relieve himself from the obligation of his Coronation Oath.'¹ This harking back upon a notion 'that added ten years of misery to his father,'² stirred once more the waters of an almost forgotten controversy; and next day, April 26th, we already hear its echoes in another place.

Sir W. W. Wynn, in presenting a petition to the Commons, 'was anxious to see the bill adopted with as little loss of time as possible, lest by some unfortunate contingency the country might find itself under a Sovereign directly opposed to the two Houses of Parliament;' but the House began to realise what he was driving at, and drowned him in 'uproar.'³ It was 'a grave breach of order to refer to what had been said in the Upper House.'

Yet again, while this Relief Bill was hanging fire betwixt the two readings, Lord Francis Leveson-Gower moved a resolution in the Commons, on April 29th, pledging the House to the 'Endowment of the Roman Catholic Clergy.'⁴ He triumphantly appealed to the 'Presbyterians of the North with their *Regium Donum* since the days of James I.' for proof of the good results of such a measure.⁵ There were '1000 Priests, with 1000 Curates; and he would divide them into three classes—200 at £200 each, 800 at £120, 1000 at £60; to the 4 Archbishops he would allow £1500 each, to the 22 Bishops, £1000, and to the 300 Deans, £300;

¹ Hansard's *P. D.* (second series), vol. xiii. p. 139.

³ *Ibid.* p. 172.

⁴ *Ibid.* p. 308.

² *Ibid.* p. 141.

⁵ *Ibid.* p. 311.

making a total of £250,000 per annum.* The spirit of this House of Commons may be interpreted from the fact that this unprincipled proposal was received with 'loud and long-continued cheering!'¹

Mr. Leslie Foster, proceeding to support the measure, illustrated the amazing confusion of his own mind, and of the times, in this strain,—'He would vote for it on certain conditions with great satisfaction; but this he would do, on the principle that this provision should be an alleviation to the people, and not a provision for the Catholic Religion by the State—for he could not see how a Protestant State could conscientiously, or consistently, apply its revenue to the support or extension of the power of the Catholic Religion!'² And yet he gave his vote to do this very thing!—so hopelessly muddled had even able brains become amidst these bewildering agitations!

But Mr. Joseph Hume, the Member for Aberdeen, with clear enough vision, on one side of the question at least, let in daylight so far—by proposing to 'refer it to a Select Committee to consider whether all Dissenting Ministers should not be paid annual stipends.' Protestant Dissenters in Great Britain were 'surely entitled to as much consideration as the Roman Catholics in Ireland!'³

Peel fastened keenly on the same absurdity,—'Dissenters would see the Protestant Establishment provided for by Tithes, and the Catholic Clergy by Taxes, to both of which they were obliged to contribute, while, at the same time, no provision was made for them!'⁴

Brougham, on the other hand, 'would not admit that this provision was to be given to the Clergy as a security. He denied that there was any danger. He denied that we needed any security.⁵ *Grant Emancipation, and it would allay all disturbances. It would give us their hearts!*' Oh,

¹ Hansard's *P. D.* (second series), vol. xiii. p. 313.

³ *Ibid.* p. 317.

⁴ *Ibid.* p. 325.

² *Ibid.* p. 316.

⁵ *Ibid.* p. 335.

these omniscient prophets! Ghost of Harry Brougham, do you hear? 'Emancipation' has been granted for more than half a century; and 'disturbances' in Ireland have been and are as grievous as ever. 'Emancipation,' and much else has been granted, but the Roman Catholic hearts have not been won; and, while we write in 1892, the cries of the Priests and of the Political Agitators, for something very like 'separation,' are more fierce and more rife than in 1825.

When Brougham sat down, the House rang with 'deafening cries' for the vote. It stood thus—noes 162, ayes 205, affirming, by a majority of 41, 'the extraordinary principle of the Endowment of the Roman Catholic Clergy by a Protestant State.'¹ In fact, the majority of this House of Commons had reduced themselves to so demoralised a state of mind, that apparently anything would have been grasped at, however preposterous or self-contradictory, that gave them ever so shadowy a hope of escaping, were it only for a season, from the dreadful nightmare of Papal Claims, under which for more than a quarter of a century they had been groaning!

On Friday, 6th May 1825, Sir Francis Burdett's bill passed almost unopposed through its second serious stage, notwithstanding the courageous protest of the Speaker, the Right Honourable Charles Manners Sutton, before the Committee, 'that a question of this kind admitted of no compromise.'² The House had made up its mind. The bill passed *pro forma*, and was reported without delay.

The third reading was called on the following Tuesday, May 10th, and this brought to the front a comparatively new Protestant champion, of quite uncommon calibre, as we shall immediately see, namely, Sir Robert H. Inglis.

Remarking that the debate hitherto had proceeded largely 'on the assumption of a considerable change in the principles and character of the Church of Rome, sufficient at least to justify proposed concessions,' Sir Robert outlined his

¹ Hansard's *P. D.* (second series), vol. xiii. p. 336.

² *Ibid.* p. 435.

argument on the other side thus,—‘I contend, on the contrary, that the Church of Rome is not only unchanged, but unchangeable; that the evidence on which this change is alleged to be proved is so little trustworthy as to justify no great experiment in the Constitution; that this experiment of so-called ‘Catholic Emancipation’ will be of little benefit to the great mass of those in whose name and behalf it is urged; that the very few to whom it would be beneficial it would still leave dissatisfied and discontented; that the claim so urged is not a right founded either in abstract justice, or in specific convention; and that, under these circumstances, it is wiser and safer, in the choice of many ways full of difficulties, to keep to that path which, though not without its difficulties, is still the path by which the country has advanced to her present greatness, and the people to the largest aggregate of individual happiness ever yet combined.’¹

At immense length, and with irresistible logic, he reasoned out every one of those positions. We glance only at a few of the more permanent considerations which he urged upon the House. He produced a volume entitled *Index Librorum Prohibitorum*, printed ‘by authority’ in Rome in 1819, bought by himself in the College ‘De Propaganda’ in 1821, and ‘approved and revised’ by Pope Pius VII. Bacon, Locke, and Cudworth are forbidden. *Paradise Lost* had been freshly anathematized so late as 1819. The list included Copernicus, Des Cartes, and Galileo—the latter also renewed in 1819; as well as Fénelon, Pascal, and Quesnel.² Sir Robert then drove home the nail thus: ‘Yet these names are appealed to and we are asked,—Whether the Church which such men represented could fairly be an object of aversion? I answer, that Church herself condemns and abhors these names. They do not represent the Church of Rome.’³ The list also included ‘all Versions of the Sacred Scriptures by

¹ Hansard’s *P. D.* (second series), vol. xiii. p. 489.

² *Ibid.* p. 491.

³ *Ibid.* p. 493.

the British and Foreign Bible Society *quâvis vulgari linguâ* ; and, in a single sheet added in 1820, two editions of the New Testament in Italian, both from the Vulgate, and both by Martini, the Catholic Archbishop of Florence, are proscribed as "unfit to be read."¹

Enlarging on the fact that the late Pope, whom the heretics of England restored, persistently refused to 'license,' or even 'tolerate,' a Protestant Chapel in 'Rome, or to allow Protestants even to 'fence' round that portion of the waste where they were permitted to bury their dead,—Sir Robert quoted his declaration before all his Cardinals, in announcing his refusal of Buonaparte's proposal that 'all Religions should be free' in France,—'We have rejected this Article, as contrary to the Canons, to the Councils, to the Catholic Religion, to the tranquillity of life, and to the welfare of the State.'² These are *ex-cathedra* words which Protestants should never forget !

As to Dr. Doyle, Sir Robert twitted Brougham whether, if he had him in the witness-box, professing unwillingness to touch the property of the Established Church, as well as great respect for it as an Institution, 'the learned Member for Winchelsea would not remind Dr. Doyle of saying, in the *Letters* by "J. K. L.," that that Establishment "must be divested of the plague of riches," that they "would see whether this mighty Babylon could be suffered to exist," whether "this *Magnum Latrocinium* of Burke be compatible with the exigencies of the State,"—and whether the learned gentleman would rest any case before a jury on the testimony of such a witness ?'³

As to the alleged 'millions' interested in this question of seats in Parliament and on the Bench, Sir Robert quoted Dr. M'Nevin's testimony before the "Lords' Committee," as one of the Irish Directory of 1798, and that of Thomas Addis

¹ Hansard's *P. D.* (second series), vol. xiii. p. 494.

² *Ibid.* p. 496.

³ *Ibid.* p. 498.

Emmett, as also of Oliver Bond,—‘that “Catholic Emancipation” sat on their lips, but that was not their real or “ulterior object,”’ and he added, with a bitter yet historical truthfulness,—‘There have never been wanting such “Friends of the people” in Ireland, who raise the storm and ride on it, who draw from the grievances of Ireland their own notoriety and consequence, whether their names be M’Nevin, Emmett, Bond, or later and still living names!’¹

And, on the plea ‘that this Emancipation would leave dissatisfaction and discontent behind it,’ he exclaimed,—‘You violate your own principle. You only remove the difficulty one or two steps further. You allow O’Connell to get the “Silk Gown;” you allow Charles Butler to “sit upon the Bench;” but you still exclude them, and every one of their Religion, from that which constitutes the great hope and stimulus of their profession, the chance of being Lord Chancellor!’ Their Religion would still be ‘marked and branded as not to be trusted;’ and ‘three years hence you would still have the same associations, the same orators or more lawless substitutes, and the same tales of Irish grievances.’²

Striking a still deeper vein, Sir Robert argued that the whole of our Constitution was a ‘System of Securities and Exclusions,’—‘In every instance, in which we give power, we regulate it by age, by sex, by property. And I have yet to learn why, in a question of the probabilities of human conduct, I ought not to have regard to the opinions also of the party to whom I am to give power,—particularly when he tells me that he will not regard my King in the light in which the Constitution has placed him, but that he will regard another person, and him a Foreign Prince, as in those realms, and over one half of human affairs, “Supreme?”’

To our thinking, this speech by Sir R. H. Inglis, when taken in its magnificent entirety, reveals the highest level of perfect reasoning, of sheer intellectual ability, to which either

¹ Hansard’s *P. D.* (second series), vol. xiii. p. 502.

² *Ibid.* p. 503.

House of Parliament ever listened on the Roman Catholic Question.

Mr. Horace Twiss, feeling the crisis that had been reached, set himself to 'prove that the exclusion of Roman Catholics was not of the essence of the Constitution,' insisting that the remaining 'desideratum' was no longer a strong appeal to the feelings, but that 'the task was now to satisfy the reason of the House.'¹ With vast historical and legal erudition, he maintained 'that, though the essentially Protestant Principle of the Constitution, which required that not only on the whole but in each of its three branches the Legislature be Protestant, would not be affected, in any conceivable degree, by the admission of half-a-score of Catholics into a body of several hundred Protestants, whose aggregate character these Catholics would be so much too few to change or even to modify;² yet that same Protestant principle would be *not merely endangered, but absolutely destroyed*, if you were to fill the Supreme Place, which in this Nation only one single individual can fill, with an individual who should not be Protestant. One Catholic would change the whole character of the Crown; while fifty Catholics would no more make any change, in the character of Parliament, than fifty Admirals or Colonels would change it into a Council of War.'³ When this speech, too, one of the freshest delivered for many a day, came to a close, the old Chronicler tells us, 'there were loud and repeated cheerings from all sides of the House.'⁴

Peel seemed to feel that the Commons were slipping away from his grasp, but he stood up unflinchingly to defend his opinions. He contended as against Horace Twiss, 'that the exclusion of Roman Catholics was coeval with the Reformation.'⁵

Without at all disguising the difficulties of the two alternatives submitted to the House, he thought 'there was yet

¹ Hansard's *P. D.* (second series), vol. xiii. p. 504.

² *Ibid.* p. 513.

³ *Ibid.* p. 514.

⁴ *Ibid.* p. 524.

⁵ *Ibid.* p. 548.

another plan, which ought at least to give no dissatisfaction. *If the Legislature and the Chief Executive Offices, as settled by the Bill of Rights, were left solely to Protestant representation, and all others opened to Roman Catholics,* he could not see that the latter would have the right to complain of such an arrangement, as one of injustice to them or of degradation ; nor did he believe that it would lead to any of those invidious distinctions which he admitted had existence in Ireland, or those irritating processions which could not enough be condemned.¹

This project should be carefully noted and remembered, when we try to understand the position which Peel afterwards finally assumed. Quite manifestly, though he will not admit it, the currents are dragging his anchor ; and, however bravely he may struggle, the drift has already begun. Ere he sat down, he revealed this deeper feeling by declaring that, 'perhaps for the last time, he should by his vote attest his uncompromising opposition to this bill which proposed to grant to the Roman Catholics all that they claimed.'

Brougham, as usual, tried to follow Peel ; but this time the House would not stand it. His opening words were drowned amidst tremendous cries of 'Question ! Question !' The vote was forced on. The ayes numbered 248, and the noes 227. Sir Francis Burdett's, the Seventh Relief Bill in our enumeration, passed the House of Commons with the respectable majority of 21.²

The very next day, May 11th, it was carried up to the House of Lords, by Sir John Newport and a large number of the Commons, 'amongst whom were conspicuous Brougham, Wynn, Lord Milton, Spring Rice,' and other champions of the Roman Catholic claims.³ Sir John, in handing it to the Lord Chancellor, prayed 'that their Lordships would concur with them ;' and the Earl of Donoughmore, in moving the

¹ Hansard's *P. D.* (second series), vol. xiii. p. 550.

² *Ibid.* p. 558.

³ *Ibid.* p. 562.

first reading, 'felt the greatest satisfaction in welcoming from the other House a bill which was the signal pledge of justice, and of a spirit of conciliation.'¹

After a vast number of petitions 'for and against' had been presented on Tuesday of the following week, May 17th, the Earl, 'in a very low tone of voice,' moved the 'second reading' of the bill. Lord Colchester referred to 'the Suppression of the Catholic Association, that manufactory of sedition;'² and justly characterised 'the present extraordinary tranquillity as suspicious and alarming.'³ It too, alas, was 'manufactured' to serve a sinister purpose! The Marquis of Anglesey had 'hitherto supported all former concessions to Catholics,' counting on a corresponding spirit of conciliation on their part; but, in these expectations, he had been grievously disappointed—'their conduct showed that even "Emancipation" alone would not satisfy, and that they would be content with nothing short of Catholic Ascendancy. Such being the state of things, he would go no further—there he would take his stand!'⁴

After able and learned speeches from the Marquis of Camden, Bishop Mildert of Llandaff, Bishop Bathurst of Norwich, Bishop Blomfield of Chester, the Marquis of Lansdowne, and others on both sides,—the Earl of Liverpool, 'detesting the bill before the House,' undertook, 'if they really wished to relieve Roman Catholics from present disabilities, to draw a bill for that purpose in half an hour not liable to one-tenth of the objections that lay against the present bill.'⁵ He admitted, what no man would now dream of denying, 'that all subjects in a Free State were entitled to the enjoyment of *equal rights upon equal conditions*;' but then he affirmed 'that the Roman Catholics did not afford equal conditions,'⁶ and he never could admit that the Roman Catholic, whose allegiance was divided between temporal

¹ Hansard's *P. D.* (second series), vol. xiii. p. 563.

² *Ibid.* p. 662.

³ *Ibid.* p. 663.

⁴ *Ibid.* p. 676.

⁵ *Ibid.* p. 740.

⁶ *Ibid.* p. 741.

and spiritual masters, was entitled to the enjoyment of the same rights and privileges as the Protestant, whose allegiance was undivided and who acknowledged but one Ruler.' He maintained that if this bill passed, 'the Protestant Succession, the foundation stone of our Constitutional System, would not be worth a farthing.'¹ And the House ought to meet the issue 'fully and unequivocally and not to deceive the people—declaring that, if this bill were to pass, Britain would be no longer a Protestant State.'²

After the Lord Chancellor had also spoken against the measure, and Earl Fitzwilliam in its favour, the vote was taken, and the second reading was refused by a majority of 48.³ The Lords counted, contents, 130, non-contents, 178. And it was half-past five o'clock on Wednesday morning as they dispersed to their homes.

The seventh session of this Seventh Imperial Parliament opened in February 1826,⁴ and its earlier days were as usual filled with deliberations about the 'State of Ireland,' and with references to the information on that subject contained in the 'Report,' by a Committee of both Houses, lately laid on the table. On March 20th, the Marquis of Lansdowne presented the 'General Petition for the Roman Catholics of Ireland,' lamenting that it 'had been placed in his hands because of the death of the Earl of Donoughmore—to the last, its able, uncompromising, and disinterested advocate.'⁵ In the Commons, Sir Francis Burdett presented the 'General Petition,' on April 25th, and Brougham commented upon it as containing 'a more enlarged view of the Question than had yet been offered to the House,'—which means that the petition was really a lengthy and fierce polemical pamphlet!⁶

The Petitioners described themselves as being 'kept in

¹ Hansard's *P. D.* (second series), vol. xiii. p. 746.

² *Ibid.* p. 747.

³ *Ibid.* p. 766,

⁴ *Ibid.* vol. xiv. p.

⁵ *Ibid.* vol. xv. p. 244.

⁶ *Ibid.* pp. 567.

ignominious inferiority, as the victims of that cruel code ;' they rested their claims 'chiefly upon abstract Rights, but also upon that solemn compact—the Treaty of Limerick ;' they boldly, however insolently, affirm that the 'Spiritual Jurisdiction' which they recognise in the Pope 'does not differ in character from that existing in any other Christian Community with an Ecclesiastical Hierarchy ;' and no more interferes with their undivided allegiance to the King than 'the honour which a man owes to his parents or the worship to his God ;' they wish 'no Provision or Pension' for the Ministers of their Religion ; and they emphatically 'deprecate any measure to restrict the Elective Franchise,' or to interfere with 'the discipline and independence' of their Church in Ireland.¹

The reader must lay this marvellous petition alongside of all that he knows in the facts of history, and judge for himself how far it was true in its terms, or could be honest from Roman Catholics ; or how far, on the other hand, it was skilfully baited to catch votes for the time and manipulated to serve a sinister purpose. But the Seventh Parliament died ere it could be formally discussed ; and with the next Parliament new and altogether unexpected developments challenge our attention.

SECTION XXI

The Roman Catholic Prelates' Manifesto and the Fifteenth 'Emancipation' Debate

THESE developments, however, by no means immediately appear. The Eighth Imperial Parliament assembled in November 1826, and was to all seeming as resolute as that which had gone before, or so divided on the Catholic Question that no sign durst be given either way.

¹ Hansard's *P. D.* (second series), vol. xv. pp. 566-567.

Brougham complained 'that the word Ireland did not appear in the Speech from the Throne,' and tartly remarked 'that an analogous fact occurred at the commencement of the American War, when that name was quivering on every lip!'¹

Next day, November 22nd, Sir John Brydges on the other side presented a Petition 'for the putting down of the New Catholic Association,' and denounced the 'unjustifiable proceedings, since the Dissolution, of that faction in Ireland, and the part their Parish Priests had taken in the late elections.'² Let these two ominous events be noted—the reappearing of the 'Catholic Association,' and the electioneering of the Romish Priests; this Parliament will have much to say and to do with both, as our History must abundantly show.

On 8th February 1827, Sir Francis Burdett presented in the Commons the 'General Petition from the Catholics of Ireland,' and dwelt upon 'its pressing necessity, its hourly growing importance.'³ The Petitioners frankly described themselves as 'discontented, deeply and universally discontented, at being excluded and degraded in their native land, —no crime being imputed to them save conscientious adherence to the pure and holy faith of their ancestors;'⁴ and then, bursting into a transcendently Protestant vein, they say —'The Petitioners' Claim is founded solely and exclusively on the principle of freedom of conscience, as belonging of right and equally to every sect and persuasion of Christians; they respectfully call upon the House to recognise that sacred principle, to leave conscience free and unfettered, and not to interfere between conscientious Man and his Creator; and they point out, for the enlightenment of a benighted Protestant Parliament,⁵ 'that the principle of such interference cannot be admitted by any human institution, tribunal,

¹ Hansard's *P. D.* (second series), vol. xvi. p. 35.

³ *Ibid.* p. 408.

⁴ *Ibid.* p. 409.

² *Ibid.* p. 96.

⁵ *Ibid.* p. 410.

or legislature, without affording a justification of the horrors of every Religious Inquisition and of all the cruelties of the Pagan Emperors to the primitive Christians.'

Finally, the Petitioners predict, 'that by the equalisation of Civil Rights with their Protestant fellow subjects, the House will make a Holy Alliance with that fertile, but hitherto wretched Island, and combine all classes in the indissoluble bonds of mutual affection and mutual interest.'¹ Readers of our History will note these, and similar prophecies, and will ask themselves how it comes to pass that, *after all they asked and far more has been conceded*, Roman Catholic Ireland is yet as discontented as ever, and is still clamouring for concessions? Are the 'ulterior objects' at the bottom of the misery?

Four days later, 12th February, Mr. Villiers Stuart, having presented various petitions, all in the above strain, took occasion to make a speech—a custom that grew during those years into a nuisance on both sides. As he proceeded, it became manifest that he had been authorised by the Catholic Bishops and Clergy to deliver a sort of 'Manifesto to Parliament' on their behalf.² He warned the House, if the Irish were refused their privileges, 'that the spirit of the Roman Catholic Church would continue to increase and would at length prevail over that of the Nation;' but he was convinced 'that, if these were granted, they would thenceforward be animated by a British rather than a Catholic feeling.'³ Which prophecy, like most others that swayed the times, has been answered by the flat contradiction of the facts—the *Romish* feeling grows, the *British* fades away!

He confessed that if certain 'alleged tenets' were held by Papists, no one would feel more anxious than he to prevent them from a participation in the services and advantages of the State,⁴—viz., usurping the power of forgiving sins, pro-

¹ Hansard's *P. D.* (second series), vol. xvi. p. 411.

² *Ibid.* p. 417.

³ *Ibid.* p. 420.

⁴ *Ibid.* p. 422.

moting vice by indulgences, holding that the Pope may dispense from oaths, dividing their allegiance, breaking faith with heretics. Then producing as it were his brief, and having recklessly affirmed 'that these doctrines at the present day were as little characteristic of the Church of Rome as of the Church of England,' he asked, 'on what authority do I make this assertion?' And answered himself, 'on the authority of the whole Catholic Hierarchy of these kingdoms, to which they subscribe their names attested by the holy and venerated symbol of their Religion, the sign of the Cross.'

Here then we have '*Statements as published by Authority of the Catholic Prelates in Vindication of their calumniated Religion.*' Now what are their answers, as to the aforesaid dreadful tenets?

They reply (1) 'That no actual sin can be forgiven at the will of any Pope, Priest, or individual whatsoever, without a sincere sorrow for having offended God, a determination to avoid future errors and to atone for past transgressions; and that he who, without these necessary dispositions, receives absolution only incurs the additional guilt of hypocrisy and profanation.'

They reply (2) 'That indulgence is no pardon for sin at all; it only remits, on the repentance of the sinner, the whole or some part of the temporal punishment with which the Church has in the first instance thought fit to visit the offence.'¹

They reply (3) 'That they cannot sufficiently express their surprise and abhorrence, as to being dispensed from the obligations of an oath, since they believe no power in any Pope or Priest, or individual or body of men whatever, can make it lawful for a Catholic to confirm any falsehood by oath, or absolve him from any oath by which he may have either ratified his allegiance to his Sovereign, or any obliga-

¹ Hansard's *P. D.* (second series), vol. xvi. p. 423.

tion of duty or justice to third persons; he who takes an Oath is bound to observe it in the obvious meaning of the words or in the known meaning of him to whom it is sworn.'

They reply (4) 'That they feel indignant at the imputation of divided allegiance; in the Sovereign and the State, they believe and declare, are vested the regulation and direction of temporal affairs; they only bow to the guidance of the Pope in spiritual matters, according to the divine command to render unto Cæsar the things that are Cæsar's, and unto God the things that are God's.'

And they reply (5) 'They believe and declare that every Catholic, as well by the laws of nature as those of revealed religion, is bound to observe the duties of fidelity and justice to all men without distinction of Nation or Religion.'¹

This 'Manifesto' is commended to the attention of every thoughtful student as absolutely perfect in its kind; that is to say, in the skill with which it appears frankly to renounce the things 'alleged,' in order to catch unwary Protestant voters, yet at the same time under every head leaves a sufficient loophole for the resolute Papist to hold his own. For instance, what could be more catching than 'their bowing to the guidance of the Pope only in *spiritual* matters,' without the faintest hint that they allow to the Pope alone the right of deciding what may or may not be regarded as 'Spiritual,' and that he therefore has the absolute and unappealable authority to put any 'Temporal' affair into that category, and so to dominate them in everything at his will? A similar criticism applies to all the other items in this famous Manifesto, as every man, well informed, and not blinded by prejudice on either side, will readily allow.

Petitions kept crowding on petitions, countless, every day, in either House of Parliament; and the see-saw of public opinion was duly represented by Viscount Lorton presenting a petition 'against' concession from the county of Sligo,²

¹ Hansard's *P. D.* (second series), vol. xvi. p. 424.

² *Ibid.* p. 646.

and mockingly adding that he 'wished to see Emancipation, but it was the Emancipation of Protestants; for there was a Roman Catholic Parliament sitting in Dublin, which had been only the more outrageous since the Act of this Parliament was passed to put it down.'¹

Finally, before the great debate of the session was launched, there was presented by Mr. Abercromby to the House of Commons a 'Petition from the Earl of Shrewsbury and other English Roman Catholic landholders' for the abolition of what was known as the 'Double Land Tax.'² It was 'first imposed in the reign of King William and remained unaltered till 1794; it was intended by the Acts then passed to relieve Roman Catholics from this Tax, but they had proved ineffectual.' The Attorney-General explained that the bill of 1794 'allowed exoneration to those who took advantage of that permission within a certain time; and those who failed to do so were precluded.' Peel, while anxiously assuring the House that 'he still thought it impolitic to grant further Political concessions to the Roman Catholics, yet very heartily concurred in relieving them from what was unquestionably a heavy burden imposed upon them for their Religious belief.'³

Thus prepared, the way was now clear for the Fifteenth 'Emancipation' Debate.⁴

It was opened by Sir Francis Burdett, on Monday 5th March 1827, who rather vauntingly claimed that 'almost every individual distinguished for intellect' had added his authority to the great mass of opinion in favour of the Roman Catholics.⁵ He hoped 'this night to open the first page of a new history of Ireland, not like the old—"atrox præliis, discors seditionibus"—but a history of peace, conciliation, and safety.'⁶ Unfortunate prophecies! All he asked has been long since granted and long enjoyed, yet that

¹ Hansard's *P. D.* (second series), vol. xvi. p. 647.

² *Ibid.* p. 651.

³ *Ibid.* p. 653.

⁴ *Ibid.* p. 825.

⁵ *Ibid.* p. 826.

⁶ *Ibid.* p. 828.

portion of Ireland which is most responsive to Papal Claims is still as ever torn with strifes, and never very far from the broil of seditions.

Sir Francis reviewed and applauded the deeds of our 'Catholic' forefathers, leaving it to be inferred that Papal Claims in the Stuart and the Modern days were no other or higher than in the days of the Plantagenets;¹ and he reviewed and criticised 'the times and circumstances in which the existing disqualifications originated,' arguing that it was not too much to ask now for 'reparation to those so unjustly used.'²

Then he harked back once more and at great length on the 'Treaty of Limerick,' keenly contending that we were 'bound by considerations of good faith to grant these Claims.'

On the general issue, he successfully argued that, 'when the Elective Franchise was given, almost to the extent of Universal Suffrage in Ireland, surely it was most foolish and impolitic to continue the restriction which prevented the Catholic Electors from sending a Catholic Representative to the House of Commons and a Catholic Nobleman from taking his seat in the House of Lords.'³

Undeterred by the wreck of other prophets, Sir Francis again launched on that troubled sea, proclaiming that a 'Union of Hearts and of Affections' never could take place unless these disqualifications were removed.⁴ They have all been removed, but, at the close of the century, politicians are blindly crying for further concessions in order to secure this *Union of Hearts*!

In reply, Mr. George R. Dawson, for Londonderry County, pointedly commented on the sinister fact, 'that the Priesthood of Rome had only recently re-entered the political arena, and that their late proceedings were marked with all the ancient characteristics of their class.'⁵

¹ Hansard's *P. D.* (second series), vol. xvi. p. 828.

² *Ibid.* p. 831.

³ *Ibid.* p. 836.

⁴ *Ibid.* p. 839.

⁵ *Ibid.* p. 859.

Mr. Spring Rice, on the other hand, 'respected and prized highly such a manifestation of patriotic spirit.'¹

Mr. Villiers Stuart, averse to the interference of Clergy in political affairs, insisted that for 'the interference now complained of, there was but *one cause*—Catholic oppression; and there could be but *one cure*—Catholic Emancipation.'²

While we pen these lines in this History, more than sixty years after, all the newspapers and magazines of our later day are anxiously discussing the revived 'interference of the Priests' with the elections in Ireland. Catholic oppression can no longer by any possibility be suggested as having anything to do with this ugly phenomenon—the recrudescence of Clericalism. Some other philosophy must be found. What if after all the charge of our forefathers be abidingly true—that the very nature of Papalism necessitates such a development, whensoever or wheresoever its Sectarian interests or Spiritual supremacy may be supposed to be at stake? *If that be demonstrable fact, this Protestant Nation must count upon it, and never can at any time safely discount it.*

In answer to the objection 'that a Jew and an Atheist may walk into this House, but not a Roman Catholic,'³ Mr. George Bankes, for Corfe Castle, quoted Lord Bacon's saying:—'Atheism leaves a man to sense, to philosophy, to laws, to reputation, all which may be guides to an outward moral virtue, though Religion be not; but Superstition dismounts all these, and erecteth in the minds of men an unlimited and uncontrollable monarchy.'⁴ And he added—'It is this monarchy which I fear! Grattan's picture of the Pope as "a slave strapped to the war-horse of the great Captain is now out of date." We have seen the restoration of the Pope! the restoration of the Inquisition! the restoration of the Jesuits!'

Mr. Charles Brownlow, for the County of Armagh, fer-

¹ Hansard's *P. D.* (second series), vol. xvi. p. 870.

² *Ibid.* p. 876.

³ *Ibid.* p. 881.

⁴ *Ibid.* p. 882.

vently flung abroad his message of despair — 'the people were alienated from the Government, and the Catholic Association possessed the confidence and wielded the opinions and the moral and physical forces of the country.'¹

The debate, having been adjourned over night, was resumed on Tuesday, March 6th, by Sir John Newport, Member for Waterford, who reminded them that he had been now 'nearly half a century' in that House.² Mr. P. Cust, Member for Clitheroe, said that 'those who rested the expediency of conceding Emancipation on numbers reminded him of a man who collected combustibles around him, and threatened if hard pressed to fire the train and blow himself and his opponents together to the devil !'³ Lord Eliot confessed himself 'another convert to the cause.'⁴

Sir John Copley, Master of the Rolls, then entered the lists as a strong Constitutional champion, though he too like Peel became one of the main instruments of passing the Relief Bill of 1829, as the Lord Chancellor of that later day. He argued the question as one 'entirely of expediency.'⁵ A 'constellation of genius' had been appealed to on the other side ; but, on looking steadily at the facts, all these distinguished authorities, Pitt, Grenville, Londonderry, Canning, and Plunkett, 'agreed with him, not with his opponents ;' for they all coupled their approval of Emancipation with the absolute necessity of 'adequate securities ;' and these, in every form as yet suggested, the Roman Catholics almost contemptuously refused.⁶ They demanded 'unqualified repeal' of all the laws affecting them, and denounced '*Conditional Emancipation*.'

But now lawyer rose to meet lawyer with weapons of the finest edge. The Master of the Rolls was answered by the Attorney-General for Ireland, our quondam eloquent friend Plunkett, now to be saluted as Sir William, and blossoming

¹ Hansard's *P. D.* (second series), vol. xvi. p. 891.

² *Ibid.* p. 900.

³ *Ibid.* p. 901.

⁴ *Ibid.* p. 904.

⁵ *Ibid.* p. 909.

⁶ *Ibid.* p. 915.

rapidly towards a Peerage like his present antagonist. He chaffed his learned brother for 'searching into the machination of the Jesuits with his Guy Fawkes lantern, and then candidly avowing that these things had no application to the Catholics of the present time.'¹ The Motion was for inquiry; and 'on that inquiry it might not be impossible to find out the security they desired. But no! the Claims of the Catholics of Ireland, if conceded on any terms, would, they were told, lead only to further demands, and would never terminate, till they had caused the subversion of the Protestant Church.'

He concluded, therefore, that there were no terms possible in the judgment of his Right Honourable opponent, and that 'he must now be placed in the front ranks of those who doomed the Catholics to perpetual exclusion from the pale of the Constitution.'²

He admitted 'that, for the proper security of the Protestant Religion, the security of the Protestant Establishment could not be too vigilantly guarded. He looked upon the Protestant Establishment in Ireland as *the great bond of connection* between that Country and England; and he was convinced that, if it were overturned, the connection between the two countries would be seriously endangered; that if it be shaken, the tenure of property must be shaken with it, and consequently that the State itself would be in the very jaws of dissolution and ruin.'³

Referring to our connection with the French Province of Quebec, 'where the great majority were Roman Catholics,' Sir William explained that the terms on which it was conceded to us were that 'their Rights should be secured to them as far as consistent with the Laws of England.'⁴ In 1763 a Proclamation called upon them to take the Oath of Supremacy, as well as of Allegiance. That was declared to

¹ Hansard's *P. D.* (second series), vol. xvi. p. 929.

² *Ibid.* p. 930.

³ *Ibid.* p. 936.

⁴ *Ibid.* p. 940.

be 'a violation of the Treaty.' How was it redressed? In 1774, by an Act reciting 'that the Proclamation of 1763 had been found by experience to be inapplicable to the state and circumstances of the said Province,' and enacting that his Majesty's subjects, professing the Roman Catholic Religion there, may 'have, hold, and enjoy the free exercise of their Religion, subject to the King's Supremacy,' and that the Clergy of the said religion may 'hold, receive, and enjoy their accustomed dues and rights with respect to such persons as shall profess the Roman Catholic Religion ;'¹ and for this purpose it enacts 'that no person professing that Religion in the said Province shall be required to take the Oath of Supremacy, but shall take only the Oath of Allegiance,' and thereupon shall enjoy 'their customs, usages, and Civil Rights, consistently with their allegiance to his Majesty and their subjection to the Crown and Parliament of Great Britain.' He therefore held that it was 'impossible any longer to contend that the Oath of Supremacy was necessary as a test of allegiance.'²

Sir William fearlessly asserted 'that the King had not in all his dominions more faithful or more loyal subjects than the people of Ireland; and yet the rejection of their claims had produced a universal feeling of discontent,—a discontent that only increased as the Roman Catholic acquired wealth and knowledge!'³ And, for himself, led away by a strange historical illusion, he still repeated his deliberate opinion—'that the only security for the peace and tranquillity of Ireland was the Roman Catholic Priesthood.'⁴

Uprose, then, he whom our annalist continues to describe as Mr. 'Secretary' Peel, to deliver the last but one of his great speeches against Papal Claims. It was 'painful and nauseating to tax memory and ingenuity for novel arguments, still he would not shrink from his duty!'⁵

¹ Hansard's *P. D.* (second series), vol. xvi. p. 941.

² *Ibid.* p. 943.

³ *Ibid.* p. 949.

⁴ *Ibid.* p. 950.

⁵ *Ibid.* p. 958.

He had carefully 'examined the Treaty of Limerick again,' and he adhered to his opinion of 1825, 'feeling a more perfect conviction than ever that that Treaty afforded to the Catholics no claim for having their disabilities removed.' He contended that, throughout all its Articles, 'Political privileges were never in the contemplation of either party, but only the enjoyment and exercise of their Religion "free from disturbance,"¹—that is full toleration of their Religion and adequate security in the free exercise of the same.' That Treaty was signed on 3rd October 1691. On the 22nd of the same month, Parliament passed, in view of its Articles, an Act 'applying the Oath of Supremacy to those who should sit in the Parliament of Ireland,' and that was observed for a hundred years. He 'defended the Whigs of 1691—Somers the Solicitor-General, Treby the Attorney-General, and Godolphin the Lord High Treasurer—and he maintained that such men would not have ventured to propose or sanction a measure which was in direct violation of the terms of a solemn Treaty. That was an incredible notion!'²

Passing to the general question, Peel again reiterated the declaration that 'he had no objection to the individuals professing the Roman Catholic Religion as individuals; he quarrelled not with their Religious tenets, either, as a system of faith.'³ But he was jealous of the Political system which was engrafted on these tenets, and he had a perfect right to consider what had been the influence of that Political system in different countries; and even as it existed at the present day, in some countries where it luxuriated in undisputed growth, in some where it was only struggling for supremacy, and in others where it was subordinate to another and a purer system. Under all these aspects, he had contemplated the Roman Catholic Religion;⁴ and the result of his observa-

¹ Hansard's *P. D.* (second series), vol. xvi. p. 960.

² *Ibid.* p. 961.

³ *Ibid.* p. 966.

⁴ *Ibid.* p. 966.

tion and investigation was that it was expedient to maintain in this kingdom a mild, mitigated, and temperate predominance of the Protestant Church.'

Proceeding to consider 'the bearings of the subject upon the State of Ireland,' Peel made the *strangely significant declaration*, that 'though believing the admission of Roman Catholics to Parliament and to Offices of State would endanger the Constitution, yet he did not hesitate to say, if he was satisfied that such a measure would have the effect of restoring peace and tranquillity to Ireland, that he would sacrifice his apprehensions as to the ultimate result to the attainment of an immense present benefit.'¹ This sentence, and the condition of mind thereby revealed, ought to be carefully pondered. It was the ground upon which, as we shall by-and-by see, Peel ultimately did turn his back upon his former self. He sacrificed all his abiding apprehensions for an apparent benefit, the interests of the future to the peace of a passing day!

But not then dreaming that he ever could come to such a state of mind, he turned away from the idea almost indignantly and argued the case with unflagging energy on far other lines. His Right Honourable friend 'had vindicated the Priests for exciting what he called the "Patriotism" of the Irish Freeholders.'² Would not these Priests hereafter be *the judges of what constituted patriotism?*—the best judges of what in their esteem was patriotic, and of what was for the best interests of their Church?' In answer to the extravagant eulogium on the Catholic Prelates—'that the tranquillity of Ireland depended on them,'³—he would ask:—'Had the Catholic Prelates published any declaration against these agitators and demagogues, whom his Right Honourable friend had himself denounced as intending to infuriate and exasperate the people in order to intimidate

¹ Hansard's *P. D.* (second series), vol. xvi. p. 970.

² *Ibid.* p. 971.

³ *Ibid.* p. 972.

this country into concessions? Had they discouraged the proceedings of the Catholic Association when continued contrary to law? He found that of the Prelates who had signed the Petition, eleven were at that moment actually members of the Catholic Association. It was not to be endured that an appeal should be made at once to the *generosity* and to the *fears* of the English Nation!'¹

He demanded, above everything, 'fair dealing,' and confessed that there was to him 'something extremely painful' in the opposing 'Declarations' of the Roman Catholic Prelates. He complained of their petition and the *Declaration of the Catholic Bishops* to which it referred them, as evincing a lack of 'manly candour and sincerity,'² and illustrated his charge by this incident amongst others. 'They affirmed "in the simplicity of their hearts," and in order to enlighten the misguided public, "that Catholics in common with all Christians received the entire Ten Commandments as found in Exodus and Deuteronomy, and that the discordance upon this subject between the Catholic and the Protestant ritual arose merely from a different manner of arranging them."³ He at once concluded that he had really been living in error as to their alleged rejection of the Second Commandment. Now on taking into his hand a Catechism of the Catholics, authorised by Dr. Milner and approved by the four Catholic Archbishops of Ireland—the twenty-fourth edition, published by R. Coyne, publisher to the Maynooth College and to the Catholic Association, an authority beyond all cavil—he found the First Commandment given, "I am the Lord thy God, etc.; thou shalt have no other gods before Me," and the Second, "Thou shalt not take the name of the Lord thy God in vain." True, there were ten Commandments. The Ninth was, "Thou shalt not covet thy neighbour's wife;" and the Tenth,⁴ "Thou shalt not covet

¹ Hansard's *P. D.* (second series), vol. xvi. p. 973.

² *Ibid.* p. 975.

³ *Ibid.* p. 975.

⁴ *Ibid.* p. 976.

thy neighbour's goods, etc." It was better to say nothing at all than to say this! Let them reject what they would, but do not let them come down and state, in "the simplicity of their hearts," to the House and to the people of England that which was not borne out by the facts.'

Concluding, Peel said that 'if the House and the country went against him, he had no answer for such an argument; but, as yet, he still thought it right to maintain all the existing disabilities, as far as related to Parliament and to Offices of State; and he had now discharged what was to him a most painful duty in opposing the resolution before the House.'¹ He was beyond all question transparently sincere. He did not feel himself to be drifting. Yet the *note of opportunism* rings so clearly through and through these utterances, that any thoughtful reader might be quite prepared to hear of a tremendous mental revolution under pressure of events.

Brougham instantly rushed into the arena, ever ambitious to follow and to answer Peel. But 'the hurrying of Members to and fro through the crowded House,' the moment the Secretary resumed his seat, 'made it impossible for him to proceed for several moments.' While the Speaker loudly called for 'order,' Brougham humourously complimented the gentlemen who had the good sense to 'retire to cooler spots!'²

He 'shook himself loose from the interpretation of the Treaty of Limerick, a mere bye-discussion,'³ and 'staked his case on a treaty of the nineteenth century, the Treaty of Union with Ireland,' involving a sacred pledge of this very concession to the people of that country.⁴

He scoffed at the Master of the Rolls 'with his Gunpowder Plot and Bloody Mary disquisition'⁵—reminding him of the anecdote about Fox, when some one complained

¹ Hansard's *P. D.* (second series), vol. xvi. p. 980.

³ *Ibid.* p. 982.

⁴ *Ibid.* p. 984.

² *Ibid.* p. 981.

⁵ *Ibid.* p. 986.

of his not visiting a certain friend, who answered that "he really could not go, for that man was always talking of Bloody Mary!" He insisted that the real question to be answered was,—What is the alternative? It was mighty easy to cry out against factious orators, to blame the Catholic Clergy, and the people; but, after all, the fact continued as it was, and the question had to be answered which practical wisdom dictated.'¹

Finally, Brougham used all his amazing ability to fulminate perhaps the strongest incitement to insurrection ever uttered within the walls of Parliament. Protesting that, 'if this request was refused them now, they would never again ask it as they had hitherto done;' he continued,— 'Suppose in any nation there was a minority, and that too a small one, which possessed all power, both Civil and Ecclesiastical, and that they persevered in oppressing the majority, notwithstanding the most urgent and temperate remonstrances; suppose, to make the picture more distressing, and, at the same time, to increase the resemblance, they had been promised a speedy recognition of their rights; if such a state of things existed, and he were one of such a body who had been thus treated,—if he, moreover, heard his Religion every day treated with contempt, and did not rebel,—it would only be because he thought that no oppression in the world could justify rebellion! If, however, any condition could justify rebellion, it was a condition like this. But whether rebellion could, or could not be justified, he was quite sure that, in a country like England, rebellion would, under such circumstances, inevitably ensue.'²

And the wily Brougham, having fired this shot, and effectually weakened the hands of an already perplexed and divided Government, sat down unctuously hoping that his words would not be 'misconstrued elsewhere.' They were fatally plain, beyond all possibility of misconstruction.

¹ Hansard's *P. D.* (second series), vol. xvi. p. 989.

² *Ibid.* p. 991.

The quick-witted Irish agitators put on them the only meaning they could possibly bear ; and they rang from the one end of the Country to the other as the praise of sedition in the Sister Isle.

On the same side, but in a far different spirit, Canning continued and closed the debate, dealing first of all, and at great length, with the question of Securities,¹ and the story of those that had been proposed from time to time. The Securities, 'which he himself formulated for the Bill of 1813, perished with the measure of which they formed a part ;' and he called on 'those who really think that dangers result to the State from communications with the Papal See, about the marriage of second cousins twice removed, to bring in a Bill to regulate that intercourse which is going on every day. By the 13th of Elizabeth, c. 2, any one publishing a Papal Bull is guilty of High Treason. This is done every day ! Yet will any one get up and gravely say that there is no safety for the State, if these Bulls of Rome are not taken by the horns ? They are now running about wild and unchecked, in consequence of my rashness and apostasy.'²

Canning closed a brilliant historical and argumentative speech with the declaration that, 'if the House of Commons decided that the consideration of the state of Ireland was not worthy to be entered upon, then was the House changed indeed ; and it would be more easy to imagine, than safe for him to express, the consequences that might ensue from such a change.'³

The vote was taken at five o'clock on the morning of Wednesday, 7th March 1827. The ayes were 272, but the noes numbered 276. This majority of 4 against the Resolution was, of course, galling to the Emancipationists—so far the House of Commons had changed by the General Election. But, on the other hand, it gave small satisfaction

¹ Hansard's *P. D.* (second series), vol. xvi. p. 994.

² *Ibid.* pp. 996-1002.

³ *Ibid.* p. 1008.

to the Constitutionalists. No stable policy could rest upon a House so narrowly divided, with a Country behind it so hopelessly perplexed !

SECTION XXII

Transformation Scenes : Canning and Wellington

IN both Houses, accordingly, the remaining days of that same month of March painfully manifest the swinging of the pendulum from side to side. Many petitions, both for and against concessions, and for and against the Catholic Association, were almost daily presented, and oftentimes accompanied with bitter remarks. Lord Lansdowne withdrew his previous notice of 'Motion on the Catholic Claims,'¹ deprecating any 'precipitate step.' Peel, on March 13th, in reply to Mr. Portman, somewhat brusquely, but with manifest pain, confessed that he had no plan, 'no specific by which he hoped to remove the evils of Ireland.'² Eldon refused to allow a Petition to be received, entitled 'from the Bishop and Clergy of the united Dioceses of Waterford and Lismore,'³ because the designation was 'illegal for Roman Catholics ;' and the Petition was at once withdrawn. All the while, matters were growing fiercer and fiercer outside ; and Lord King, presenting a Petition, on March 30th, described the Petitioners as 'the most wretched, the most ill-used, and the most oppressed people in Europe.'⁴

We recognise such terms as the stock-in-trade of the modern Irish agitator to this day. They are still being trumpeted from a thousand platforms ; and, despite all the Relief Bills, the Roman Catholics of Ireland persist in thus describing themselves—their true and real grievance

¹ Hansard's *P. D.* (second series), vol. xvi. p. 1083.

² *Ibid.* p. 1164.

³ *Ibid.* p. 1224.

⁴ *Ibid.* vol. xvii. p. 1.

being something which mere partisan politics refuses to see, but every candid student of history is constrained to admit, namely, Protestant Supremacy.

The month of April brought no relief, for, on the 6th, we hear the Marquis of Chandos questioning Peel as to the 'putting down' of the Catholic Association; and the Secretary resolutely replying that, 'as yet, no circumstance had rendered it advisable to enforce the law.'¹

But the first session of the Eighth Imperial Parliament was destined to witness one marvellous transformation scene before it should expire. On 12th April 1827 we stumble upon the issue of a writ for an election at Newport,—'the Right Honourable George Canning having accepted the Office of First Lord Commissioner of the Treasury.'² The announcement was 'received with loud cheers,' and the House adjourned till 1st May. So far back as February, the late Prime Minister, the Earl of Liverpool, who, as the Honourable Charles Jenkinson, had been the friend of George Canning at Oxford, and helped to push him forward as a *protégé* and supporter of Pitt for Newport in 1793 in his twenty-third year, and had ever since befriended him, was smitten down with paralysis. And now, in April, Canning finds himself called upon to form a new Administration. On Tuesday, May 1st, he took his seat as Prime Minister; and there scarcely ever had been seen 'a more extraordinary assemblage' of Bishops, Dukes, Earls, and Lords, 'flocking into all the galleries.'³

Besides his fascinating eloquence, Canning was personally one of the most popular Statesmen of his day. Since 1796 he had stood in the van of political life. In 1798 he leapt into the foremost rank of Parliamentary oratory by 'a great speech on the Abolition of the Slave Trade.' In 1801, and again in 1807, he was Foreign Minister, and yet again in

¹ Hansard's *P. D.* (second series), vol. xvii. p. 276.

² *Ibid.* p. 390.

³ *Ibid.* p. 392.

1822. In 1812 he won the first and the greatest victory for the Catholic 'Emancipation' Movement. He was elected by the great constituency of Liverpool three successive times. From 1816 to 1820 he supported the 'Liverpool Ministry,' but resigned rather than homologate the action of the Government against Queen Caroline. In 1822 he was on the point of departing to the Governor-Generalship of India, when the suicide of Lord Londonderry recalled him to the helm of Foreign Affairs. And now a long, brilliant, and honourable record had lifted him to the summit of all political glory in Britain.

But thorns were abundant in his bed of roses, and immediately began to show their presence. That very first day, a new writ had to be moved for Ashburton,—'the Right Honourable William Sturges Bourne having accepted the Office of Secretary of State for the Home Department.'¹ This was Parliamentary intimation that Peel had resigned. He thereon rose and delivered a long and closely-reasoned 'Exposition.'² The gist of it was that, 'for eighteen years, he had followed one undeviating course—an uncompromising, but temperate, fair, and he believed Constitutional, resistance to the making of any further concessions to the Roman Catholics. He could not remain in office after events had rendered it probable that he should be the only Minister of the Crown who was likely to remain opposed to them.' He added, not without stately dignity, had he but been able to persevere to the end in a similar strain,—'That would not have been consistent with the career I have pursued, nor with the maintenance of my character as a public man.'³

Even in that moment, Peel's splendid intellect could not refrain from summarising his life-long argumentation into a single sentence,—'The nature of the opposition I had rendered left me no middle course, founded on the belief

¹ Hansard's *P. D.* (second series), vol. xvii. p. 392.

² *Ibid.* pp. 393-411.

³ *Ibid.* p. 395.

which I have always sincerely maintained, that the removal of those barriers which the law opposed to the attainment of Political power by the Roman Catholics, was inconsistent with the maintenance of the Constitution and with the welfare and safety of the Church.'¹

In reply, Canning very deliberately announced that, 'with those who formed the present Cabinet, and some of whom formed the last, the Catholic Question now stands on the same ground as during Lord Liverpool's Government; that is, any Member of the Government may, if he pleases, bring it forward in either House of Parliament, on condition that he distinctly states that he does it in his individual capacity only, and not as pledging his colleagues to his own opinion on the subject.'²

It came out, thereafter, that the Duke of Wellington, Lord Chancellor Eldon, Lords Bathurst and Melville, as well as the Home Secretary, 'had all given in their resignations on the same day.'³ But Peel almost fiercely 'gave his word, as a man of honour, that it was done without concert;' and boldly and hotly 'vindicated himself and his colleagues from the base charge of "Caballing" against their Sovereign.'

Mark well this memorable scene, especially as it affects Wellington and Peel, resigning their high offices—for the Duke resigned also his Command of the Army—rather than be even associated with a Prime Minister who was committed to 'Emancipation.' That was in 1827. When we come to 1829, and listen to those very men, by their united tremendous influence, forcing that measure at last upon the Nation, your sense of historical righteousness must fix the discount which you are bound to allow upon all that they may say or do.

Next day, May 2nd, Lord Chancellor Lyndhurst, the Sir John Copley of a previous page, 'arrived in great state

¹ Hansard's *P. D.* (second series), vol. xvii. p. 395.

² *Ibid.* p. 441.

³ *Ibid.* p. 447.

and took the Oaths.' Lord Plunkett also appeared upon the scene, the Sir William of debating fame; and Sir Charles Abbott had now blossomed into Lord Tenterden.¹ They were rather a motley company to be yoked together. And the stern old Earl of Eldon, now ex-Chancellor, did not trouble himself to conceal his contempt when he rose and said, — 'They had charged his Majesty's late Ministers with having acted in concert, for the unpardonable object of dictating to the Sovereign in the selection of his Constitutional advisers;' and then added, with a high conscientiousness bordering upon scorn, 'the charge was a base and infamous calumny!' ² That same day many 'Petitions against the New Administration' were presented to Parliament,³ the Marquis of Chandos declaring, as he submitted one of them, — 'that the present Ministry must combine to carry the Catholic Question, and that he was determined to do everything in his power to defeat that object;' for he could 'place no confidence in the impartiality of any Government which had a Roman Catholic advocate at its head.'⁴

So the early days of Canning's Ministry passed by amid stress of political weather. It is vain to speculate what might have been, had his personality been allowed to develop its supremely fascinating influence. At any rate, it must be admitted that Canning's leadership, in passing the Roman Catholic Relief Bill, would have had about it a sense of poetic justice and historical completeness,—instead of being, like the leadership of Peel, an intellectual monstrosity, and a moral paradox to the end of time.

Alas, on August 8th, little more than three short months since the House hailed him as Prime Minister, the gifted Statesman was stricken down in death! The Nation genuinely sorrowed over him. They laid him near to Pitt in Westminster Abbey. And posterity has ranked him with

¹ Hansard's *P. D.* (second series), vol. xvii. p. 447.

³ *Ibid.* p. 498.

² *Ibid.* p. 450.

⁴ *Ibid.* p. 499.

Burke and Pitt and Fox, as amongst the greatest Parliamentary orators of the century to which they and he belonged. Canning was comparatively young, only fifty-seven. Some said that the conduct of the late Cabinet worried him to death. But he had led a strenuous public life since 1793, and this was the price he had to pay.

Before the opening of the second session, in January 1828, the next transformation scene was long complete. The Duke of Wellington had become Prime Minister. Peel was his strong tower, as Lieutenant in the House of Commons. And we find the Honourable Cecil Jenkinson, who moved the 'Address' in reply, chattering about the present unfortunate malady of his poor brother (the Earl of Liverpool), and then, after stupidly admitting his 'melancholy incapability,' informing the House that 'his poor brother approved of the New Administration, and particularly of the readmission of the Right Honourable the late Member for the University of Oxford (Peel).'¹

Brougham must have felt sorely tempted to scarify that silliness, and mock at such approval as proof invincible of 'melancholy incapacity' indeed; but, pitying the weak, he turned upon the Prime Minister, and let out all his vials thus: 'The Noble Duke might take the Army, might take the Navy, might take the Mitre, might take the Great Seal; he would make the Noble Duke a present of them all.'² But let him come on, with his whole force, sword in hand against the Constitution, and the energies of the people of this country would not only beat him, but laugh at his efforts. Once the country heard with dismay the cry,—“The soldier is abroad!” That was not the case now. There was another person abroad, in the eyes of some an insignificant person,—The Schoolmaster is abroad! And he trusted more to the Schoolmaster with his primer, than to the Soldier in full military array, for upholding the Liberties of the country.'

¹ Hansard's *P. D.* (second series), vol. xviii. p. 36.

² *Ibid.* p. 57.

In reply, Lord Palmerston, coming on the scene in this connection for the first time, chaffingly referred to 'the peculiar pleasantry and humour of the learned gentleman's attacks, amusing even to those at whom they were pointed;' ¹ and then cynically remarked that he 'questioned the good taste of this attack upon the Duke of Wellington, but would leave the answer to the House, when he explained that the Duke had resigned the office of Commander-in-Chief.' ² Ah, if Brougham could have dreamed, even in his wild frenzy, what the Duke would be doing for his favourite 'Emancipation' less than twelve short months ahead, he would have reserved his batteries of abuse for some other foe!

But, to do the Duke perfect justice, he as little foreknew himself. For instance, on January 31st, Lord Clifden appealed to him to say, 'Whether the Government intended to introduce a bill during this session for the Repeal of the existing Penal Laws affecting Roman Catholics?' ³ And Wellington, with blunt honesty, answered 'that the Government had no intention of bringing forward any such measure.'

Again, as preparing the decks for another great Parliamentary struggle, Peel closed this section of our History by announcing, amidst what are called 'Ministerial Explanations,' that when, on 9th January last, he received a communication from the Duke of Wellington as to the King's commission to form a new Ministry, 'he had advised that it was impossible, owing to the almost equal division of the House on the Catholic Question, with satisfaction to the country, to form a Government either on the principle of excluding the question altogether, or of making the carrying of that question a *sine qua non*.' ⁴ And, further, he explained that, respecting the Catholic Question, 'every Member of the present Administration was at liberty to take what line of

¹ Hansard's *P. D.* (second series), vol. xviii. p. 62.

³ *Ibid.* p. 69.

² *Ibid.* p. 63.

⁴ *Ibid.* p. 543.

conduct he might choose. It was deemed to be an open question; and the patronage of Ireland was to remain neutral—exactly as it was pledged to be in Mr. Canning's Government.¹

It may help us better to realise the whole spirit of the time, if we in passing notice that, on 26th February of this same year 1828, Lord John Russell carried the 'Repeal of the Test and Corporation Acts' by a majority of 44, and got his Bill into Committee of the whole House on the 28th;² and that, when Lord Clifden presented a 'Petition from the Roman Catholics of Liverpool' for the Repeal of these Acts, on March 3rd, the following grotesque colloquy took place. Lord Redesdale observed 'that Charles II. would have been very glad not to pass one of these laws, of which the noble Lord complained that he was the author.'³ But Lord King wittily retorted,—'If Charles II. was not the maker of Tests, at any rate he was a great taker of them. He first of all qualified himself for the Crown of Scotland by signing the Covenant. He then qualified himself for the Crown of England, by all the ceremonies of the Established Church. And, finally, on his death-bed, he qualified himself for dying as a true Catholic, by receiving Extreme Unction. That showed the value of Tests!'⁴

SECTION XXIII

Sixteenth 'Emancipation' Debate

THE first mutterings of the coming storm were heard on 6th March, when Sir Francis Burdett presented his usual 'Petition from the Roman Catholics of Ireland,' and formally gave notice of a motion on the subject for April 29th.⁵ But,

¹ Hansard's *P. D.* (second series), vol. xviii. p. 545.

² *Ibid.* pp. 781, 833.

³ *Ibid.* p. 923.

⁴ *Ibid.* p. 925.

⁵ *Ibid.* p. 989.

next day, Brougham, ever ambitious of a front seat, presented another petition, also from 'the Roman Catholics of Ireland,' praying the House 'to erase from the Statute-Book that law making it imperative on the Catholics to state, and the Protestants to sanction the statement, that the Roman Catholic Religion was "damnable and idolatrous."¹ Sir Henry Parnell also moved 'that a copy of the Treaty of Limerick be laid on the table.' The motion was agreed to. And, for a month on end, the countless petitions 'for' and 'against' Catholic Claims occupied nearly the whole time of both Houses of Parliament.

It was Thursday, 8th May 1828, however, before the Sixteenth 'Emancipation' Debate could be launched, the last great Parliamentary discussion before the complete surrender of Wellington and Peel.² They still stood on principle, and had not yet begun the perilous experiment of resting the Constitution on the shifting sand of expediency.

Sir Francis Burdett again tenaciously 'based his first argument on an existing Treaty, the Treaty of Limerick,'³ as the 'Magna Charta of the Catholics of Ireland.' In a long and learned review he maintained 'that the Treaty did stipulate for their political rights,' and that the breach of the same was a 'violation of our National honour and good faith.'⁴

Denouncing the succeeding page in the history of Ireland, as 'dreary, doleful, and disgraceful,' he concluded this part of his argument with the stinging remark,—'that there never was a grosser mistake in policy than to yield in 1793 the privilege of the Elective Franchise to the Irish Catholics, if it was intended to stop short and withhold from them equal rights with the rest of their fellow-countrymen; for, by giving them the Elective Franchise, we gave them what Archimedes required—a point from which to move the world!'⁵

The second part of his argument, Sir Francis founded

¹ Hansard's *P. D.* (second series), vol. xviii. p. 1058.

² *Ibid.* vol. xix. p. 375. ³ *Ibid.* p. 378. ⁴ *Ibid.* p. 389. ⁵ *Ibid.* p. 392.

on 'another Treaty,—one of more recent date, the obligations of which ought to have been considered not less sacred,—the pledges given by supposed competent authorities at the period of the Union, and without which understood pledges the Union could never have been effected.'¹ But we, in this History, are already familiar with every inch of that oft-travelled ground.

Turning upon Peel's objection 'that the cases of France, Austria, etc., had no similarity to the case of Ireland, where the Established Church is that of the minority,' Sir Francis cleverly hurled back the arrow, affirming that, 'since the Union, the Established Church is now the Church of the majority'²—meaning that the United Kingdoms were now to be reckoned as One People. Not many years will pass till we see that same Church of Ireland overthrown, expressly for the here scoffed-at reason that it was the Church of the minority *there*, whatever it might be in relation to the whole United Kingdom.

Still, the argument was clever, and proved very serviceable at the time; for, under its transparent sophistry, Sir Francis chaffed the Government thus, in his banter becoming unwittingly an inspired prophet,—'The arguments of the Right Honourable gentleman, like the elephants of Pyrrhus which destroyed his own army, turn against himself and support his opponents! I indulge, indeed, the sanguine hope that the manly mind of the Noble Duke, as well as of the Right Honourable gentleman, will see the absurdity of continuing restrictions, the more irksome as the pretended necessity for them, real or imaginary, has passed away.'³ . . . To the Duke's other titles will be added that of Pacificator of Ireland, consolidator of the power of the British Empire, and rewarder of those brave Catholics who fought under his banner, and toiled in acquiring his renown.'⁴

¹ Hansard's *P. D.* (second series), vol. xix. p. 393.

² *Ibid.* pp. 400-402.

³ *Ibid.* p. 404.

⁴ *Ibid.* p. 405.

Having delivered himself of this brilliant badinage, or subtle flattery, I know not which, Sir Francis proceeded to deal with 'another argument supposed to be unanswerable; like the famous answer of the clown in the play—the Courtier's answer, fitted to every question, and about as significant, "O Lord, Sir!" the answer of Touchstone to every question,—the answer of those to whom I allude is, 'that the Catholics hold a divided allegiance between the King and the Pope.' But he maintained that 'all history had proved that Roman Catholics are as true in their allegiance as Protestants.'¹ Particularly he denounced it as 'unfair to Religion itself to attribute to its principles the crimes of those who profess it,'² such as the bloody Mary, the monster Philip, and the madman Bonner. And rightly so, if by Religion he means Christianity; but mere sophistry, if he speaks of a so-called Religion which by its very principles inspired and sanctioned, if not directly inculcated, those crimes and horrors!

Egregiously at sea, in his Political and Religious forecast, Sir Francis '*dismissed, as a mere joke, the notion that the Pope had any influence in Ireland.* To controvert it would now be idle in the extreme. The idea had become ludicrous! Like Bottom, "he roars you like any sucking dove." Indeed, there was an end lately to the Pope altogether, if this country had not thought fit, when he has fallen, to set him up again.'³ Readers, who peruse this page towards the end of the Nineteenth Century, and calmly calculate the outcome of Papal influence in this United Kingdom, and throughout the world, will be able to judge how utterly stupid and irrational was this blind-bat jesting that sounded then so clever and so wise.

In any case, Sir Francis Burdett vehemently called for the 'clearing away of old and useless and clumsy contrivances, the causes and reasons which gave birth to them having long

¹ Hansard's *P. D.* (second series), vol. xix. p. 405.

² *Ibid.* p. 408.

³ *Ibid.* p. 410.

ceased to exist, on the maxim of Common Law,—*Cessante ratione, cessat et ipsa Lex* ;'¹ and he argued 'the great security both for Church and State is equal laws and equal justice, for *Id est firmissimum Imperium, quo obedientes gaudent!* And there are no people in the world more easily satisfied than the Irish.' One's pen instinctively wishes to add three points of exclamation to that oracular utterance, but it is better simply to add the rejoinder,—'May be! But the Irish, and especially the Irish Catholics, have taken a devilish queer way of showing their satisfaction.'

At length, Sir Francis brought to an end the most sparkling and famous of all his speeches on this subject by pouring scathing ridicule on all mention of securities :—'I own that the fears on that score appear to me as childish, and the securities as feeble and unavailing, as hanging an amulet round the neck of an infant to protect it against agues, or nailing a horse shoe on the threshold of the door to protect the House against witches!'² Alas, Sir Francis, facts have smashed to splinters your visions. 'Emancipation,' equal laws and equal justice, have been found productive only of further demands for concession, and discords approaching the brink of Civil War. There is something at work in Roman Catholic Ireland that baffles all your political prognostics—who is it? What is it? where is it? This book gives the answer of History.

The Solicitor-General for that day, Sir N. C. Tindal, replied to Sir Francis in an exhaustive, learned, and wonderfully original speech. The Treaty of Limerick was again torn to pieces, as also the Treaties of Union, to prove that 'the Oath of Supremacy, not less than of Allegiance,' had been invariably required for Offices and for seats in Parliament.³

The argument for 'Natural Right' was cruelly dissected

¹ Hansard's *P. D.* (second series), vol. xix. p. 418.

² *Ibid.* p. 419.

³ *Ibid.* p. 421.

to show that 'Political privileges had, from the earliest ages, been uniformly denied to certain classes of people, who professed opinions destructive of Social Order. Imagine, for instance, making the Quaker a General, or the German Anabaptist a Judge!' ¹

He travelled once more historically through all the controversy, to demonstrate that at the Reformation, again at the Revolution, thirdly, at the Union with Scotland, and, finally, at the Union with Ireland,—'the faith of the Nation had been, in this solemn manner, pledged over and over again that the Protestant Church should be inviolably maintained as an inseparable and integral part of the State;' and to demonstrate further that the abolition of Papal power within this realm by the Legislature was 'meant forever to exclude the interference of the See of Rome with the domestic affairs and the allegiance of British subjects,—and thereby to maintain a Policy which, from Richard II. downwards, the Sovereigns on the British Throne had jealously observed against the Bishops of Rome.' ²

Further, the Solicitor-General proved from Dr. Troy, and by other witnesses—'from the authority of the Catholics themselves'—that, 'to this very hour, they maintained those doctrines, against which, by a uniform current of enactment the Legislature had scrupulously and inflexibly sought to guard;' ³ and he wound up a marvellously well-informed review of the whole ground by declaring that, after every consideration, '*he was unable to find the slightest alteration of the Catholic opinions against which Penal restrictions had been framed*, not a single renunciation of any obnoxious tenet, not the least attempt to qualify or restrict that power of the Pope which had been felt so dangerous to the Civil Liberties of this country.' ⁴

Looking at the question politically, not theologically, and

¹ Hansard's *P. D.* (second series), vol. xix. p. 423.

² *Ibid.* p. 426.

³ *Ibid.* p. 427.

⁴ *Ibid.* p. 429.

remarking on such events as the 'suppression' of the Jesuits in 1773, and their 're-establishment' in 1814, he clinched his appeal by arguing that 'all these circumstances were proofs that the spirit of this Church was only sleeping, not extinguished; and it was on this ground that he objected to the introduction of Roman Catholics into power;' and he closed by specifically pointing to 'the species of domination exercised during the last General Election by the Roman Catholic Priesthood in Ireland—a power which, if allowed greater scope, was pregnant with the most dangerous consequences.'¹

In reply to him arose a certain Mr. Spencer Perceval, wondering at his own courage, chattering about 'his lamented father,' and communicating to the Commons 'the ground on which he now supports this measure, having hitherto given a silent vote on the other side.'²

Mr. Fitzgerald, also on the same side, congratulated himself on his amazing foresight. 'Years ago he had told Lord Liverpool what was likely to occur;' and he laid all the blame on 'those who opposed the Catholic Claims'³—a preposterous logic, making the assailed man who defended himself, and not the robber, responsible for the bloodshed that ensued!

The debate was ultimately adjourned at ten o'clock on Friday morning.⁴

On that day, with unabated interest, the ball was set a-rolling by Sir Robert H. Inglis, the equal of Peel himself in this great controversy; but who, unlike his famous rival, maintained his principles to the last. No speech, in the whole debate, will better repay the most thoughtful study.

Like Sir Francis Burdett, finding 'nothing new in fact or illustration, and nothing new in argument,' he would 'take his first stand on the Treaty of Limerick,'⁵ involving

¹ Hansard's *P. D.* (second series), vol. xix. p. 431.

² *Ibid.* p. 433.

³ *Ibid.* p. 453.

⁴ *Ibid.* p. 470.

⁵ *Ibid.* p. 472.

'the dearest of all interests, for *Nullum tempus occurrit Fidei Publicae*—the Public Faith cannot die!' He proved that the Irish Garrison asked, first of all, 'equality with Protestants in all privileges,' and that De Ginckel¹ instantly and decisively informed them that 'what they demanded was contradictory to the Laws of England, and could not be granted.'² Having submitted a complete analysis of its Articles, and contemporary authorities as to its significance, Sir Robert concluded, having finally settled this subject for all rational minds,—'I have proved that the Treaty of Limerick was never intended to bear the weight that has been hung upon it; with that weight it has broken down; and now it overwhelms the Honourable Baronet and the Cause which he designed to shelter under it.' Nor was he guilty of vanity in adding, for it was literally the judicial truth,—'There the ruin may lie; for the materials are not worth picking up again.'³

Dealing, then, with the second section of the argument submitted, 'the alleged pledge given to the Roman Catholics at the Union,' Sir Robert 'denied that there was any official pledge given by the Government, and undertook to prove that there was scarcely even any semi-official declaration by which the public mind in Ireland could be led at the time.' Foster, the Speaker of the Irish House, 'complained of the lack of any such assurance in the language of Pitt's authoritative exposition of the principles of his Administration; on the contrary, he tells the Catholics that the time for discussing their situation must depend on two points, viz., (1) "When their own conduct shall make it safe," and (2) "When the temper of the times shall make it favourable." He, at least, answering Pitt at the time, did not find in his words the pledge that is spoken of now,⁴—"that if Catholics would support him in his object he would support them in

¹ *V.S.* vol. i. p. 414.² Hansard's *P. D.* (second series), vol. xix. p. 482.³ *Ibid.* p. 497.⁴ *Ibid.* p. 498.⁵ *Ibid.* p. 499.

theirs." And Lord Cornwallis himself declared, again and "again, that he never received authority, directly or indirectly, to give any such pledge on behalf of any Member of the Government." '1

Sir Robert thereafter reviewed, very delicately, the objection 'founded on the Coronation Oath,' reminding them, 'though the doctrine was unpopular, that the King of England is not merely the First Magistrate, but an original, integral, and essential part of the Legislature, and as much entitled to a deliberative voice as either House of Parliament.' 2

Then, finally, shaking himself loose from these trammels, he fastened upon the whole question as 'freely open to the consideration of Parliament on the general grounds of Political Expediency.' In that connection he boldly announced that the principle was the same to him, 'whether its objects be ten men or ten millions'—if the claim be found right, 'he should be ashamed to withhold it from one poor but silent man;' and if wrong, 'he should be equally ashamed of a Government that could be bullied by clamorous and sturdy millions into weak and mischievous concession.' 3

Replying to Mr. Doherty, the Solicitor-General for Ireland, and his appeal about 'the new and untrodden path of Conciliation,' Sir Robert fierily demanded,—'What path has the Parliament been treading for the last forty years? And has concession led to Conciliation, or anything like it? And, if not, why should we advance further?' 4

Thereon Sir Robert passed in view 'the language of the Roman Catholics of former times, as compared with their later utterances,' *e.g.*, Dr. James Butler of Cashel, and Dr. Woodward of Cloyne, immediately after 1782, *versus* Dr. Doyle in 1825; 5 or the Petitioners of Wexford in 1797, and

¹ Hansard's *P. D.* (second series), vol. xix. p. 502.

² *Ibid.* p. 504.

³ *Ibid.* p. 505.

⁴ *Ibid.* p. 506.

⁵ *Ibid.* p. 507.

again in 1827,—the one set declaring their ‘unalterable attachment to our most excellent Constitution,’ and the other, complaining that they are ‘excluded from the Free Constitution of these realms,’ and bereft of their rights and privileges; and he demanded the House to ‘tell him what had they gained in loyalty, in good order, in affectionate submission,’ from Irish Roman Catholics, by forty years of Concessions? ¹

In the same way he considered and reviewed ‘the language of their supporters in Parliament from the first Relief Bill, introduced in 1782,’ down to the present day. Then they limited themselves to ‘the right of property, the exercise of their Religion, the education of their children, and the celebration of their marriages,’—not a whisper about ‘Elective Franchise or Eligibility to Parliament; not a word about the Army, the Navy, the Corporations, the Cabinet, or the Crown!’ ² Even Grattan, at that time, went no further than to grant them ‘every privilege compatible with the Protestant Ascendant.’ ³ But listen to him in 1793; the claims have risen in these eleven years, and ‘his advocacy rises with them,—‘The barriers which you have now erected cannot stand. It is in vain, keeping out of the Offices of State the men whom you have admitted into the Constitution!’ Which instance, and many similar, Sir Robert drove home in his argument thus,—‘Having granted in 1793 what was then considered so much, but is now considered so little, ⁴ what security have we that, if we shall grant still more in 1828, the same parties may not again turn round upon us and say, —“You have done nothing; you have given nothing; you have left the Roman Catholic as an insulted and degraded being; he still cannot be Lord Chancellor! he still cannot be King!”’ ⁵

He passed in review, also, O’Connell’s talk about the

¹ Hansard’s *P. D.* (second series), vol. xix. pp. 510, 511.

² *Ibid.* p. 512. ³ *Ibid.* p. 513. ⁴ *Ibid.* p. 514. ⁵ *Ibid.* p. 515.

'Foreign' Parliament of Great Britain,—the popular argument from the use of 'great names' against us, few of them actually agreeing as to the lengths they would go, or the securities they would require,—and the conduct of all the other 'civilised Powers,' showing very fully and unanswerably the vital distinction betwixt our free and mixed Constitution and every one of theirs.¹

And then Sir Robert closed one of the strongest intellectual settings, if not the very strongest, of this whole question in all its lights—historical, religious, political, expedient, and practical—which the raging controversies of a quarter of a century produced, with these ringing words,—'Compelled to look to experience and analogy as guides, I resist these claims, because I do not see that to grant them would be to produce a certain, a probable, or almost even a possible good; while, on the other hand, I cannot but fear that I see *demands rising upon demands, irritation transferred rather than relieved*, the Protestants of Ireland weakened and exasperated, the Roman Catholics strengthened, but not satisfied.² The Parties are now formed; and, believing as with deep sorrow I believe, that the Roman Catholic will never cease to agitate Ireland, till either in the great struggle Protestantism shall be extinguished and the two countries separated, or till, on the other hand, by the awakening energy of Parliament and the People, and their just though tardy sense of their own interests and duties, Popery shall be again humbled, and taught to bear in peace the supremacy of a Power, the very existence of which it would not, if itself triumphant, tolerate,—I await the onset where I am, at least I will concede no power to my assailant, I will put no more weapons in the hands of those who are already collecting all their forces against us!³ If a Foreign War should break out to-morrow, I would not grant to-morrow to the Roman

¹ Hansard's *P. D.* (second series), vol. xix. p. 524.

² *Ibid.* p. 526.

³ *Ibid.* p. 526.

Catholics of Ireland what I refuse to them in peace to-day. I know the risk of the alternative, but I also know and calculate the risks of the concession. I know that every concession has been met by larger demands in bolder tones. I know that for every step which we have receded, the Roman Catholics of Ireland have advanced with louder outcries. I see that our only human safety lies in our own unshrinking firmness—one step more and we are prostrate! Believing, then, that in our defeat the interests of the Protestant Union, the rights of Protestant Property, and the integrity of the Protestant Church would be sacrificed, I will not yield! Relying on the strength, the justice, and the sacredness of our cause, I will not despair!¹

After the mental and moral discipline of studying such a speech, the argumentation of even Sir James Mackintosh seems feeble and fallacious. He would say that 'every particle of disability of any sort which may be imposed upon an individual on account of his Religion—beyond that which was not strictly necessary for the preservation of the State and its institutions—was persecution and intolerance.'² Of course; but the exception suggested by himself vitiates all his logic, as the whole question is whether the said exclusion be or be not 'necessary.' Sir Robert H. Inglis would, equally with himself, denounce anything that was not 'absolutely necessary' for the preservation of the State as sheer persecution and intolerance!

We turn, therefore, at once to the speech of Mr. Secretary Peel—the last he delivered on this side of the question, in a great and reasoned and formulated argument, and more worthy of deliberate analysis than any other; especially inasmuch as, by his own confession afterwards, *though he adopted a new policy*, he maintained unaltered to the last his former convictions and principles.³ He admitted the 'combination of

¹ Hansard's *P. D.* (second series), vol. xix. p. 527.

² *Ibid.* p. 551.

³ *Ibid.* p. 567.

talent' by which he was opposed, and the 'truth and sincerity of the conversions' which had recently taken place; but it was 'his bounden duty to state manfully, but temperately,' how the arguments that had wrought conviction in others failed to produce any effect on him.

The subject of the Treaty of Limerick was 'particularly distasteful to the House,' and this was 'the last time he would ever refer to it;' but he did so to 'prove how impossible it was that even the Catholics themselves could have contemplated an entire freedom from all disabilities by the Treaty of Limerick.'¹ The 'proclamation,' for instance, which preceded the Treaty, and on which it may be said to have been founded, held out to those who surrendered, 'for their example, the same toleration as was enjoyed by the Roman Catholics of England'—did that toleration 'imply Political offices'? After many other equally unanswerable arguments, he bluntly bade 'good-bye to the Treaty of Limerick;'² and the judicial verdict of history vindicates him in doing so, for, if his reasonings and those of Sir Robert Inglis fail to convince any mind, that mind must be wilfully blinded against truth and fact.

Coming down to 'more recent history,' he did not deny that, at and after the Union, Roman Catholics did entertain the persuasion, and Pitt himself also, that the Union would facilitate the discussion and settlement of the question as to their disabilities; but he affirmed, and proceeded to prove, that neither Pitt, Cornwallis, nor Castlereagh 'gave any engagement express or implied, or did any act binding on honourable men, which implied a pledge for admission of the Roman Catholics to Parliament.'³ At great pains, and with many irrefragable evidences and quotations, Peel set himself to remove 'this blot of bad faith' from these distinguished public men; but he fearlessly admitted that 'National faith overruled

¹ Hansard's *P. D.* (second series), vol. xix. p. 570.

² *Ibid.* pp. 574, 575.

³ *Ibid.* p. 575.

all questions of Policy,'¹ and that if he could be convinced that such a contract existed he would gladly and willingly fulfil it.

As to the general question, Peel renewed his 'firm adherence' to what he had repeatedly stated, particularly as related to the 'Constitution of the Country,' and the 'prosperity of the Empire.' Referring to the Act which had that day received the Royal Assent—the 'Abolition of the Sacramental Test'—Peel argued that 'Protestant Dissenters stood in a very different situation, with regard to our Constitution, from Roman Catholics,'—being bound with us in protesting against the corruptions and errors of Rome.² But his honourable friend had described Popery as a 'tiger which the rising sun of Knowledge had driven to his den,' if not killed; and how did he know that 'that very knowledge had not been cherished by those laws they were now asked to change? How did he know that Priestly Ascendency would not again take possession of the land, if we gave to the Catholics this Political power?'³

Feeling that, 'in the present relations of the Roman Catholic and the Protestant Religion, one or the other must have the Ascendency, he and those who thought with him were desirous that the Ascendency,⁴ a qualified and modified Ascendency, should belong to the Protestant Church,—meaning thereby nothing obnoxious or invidious, but merely that the great Offices of State should be in the hands of Protestants.'⁵ Peel also indignantly protested against a flabby so-called 'charity,' talking 'as if there were little difference' between the tenets of the Roman Catholic and the pure Protestantism of England, and he would not be prevented from renewing his own testimony that the distinction between them was 'open, palpable, and of the greatest import.'

In turning at length to the 'condition of Ireland,' Peel made a statement which unveils the swaying of his mind

¹ Hansard's *P. D.* (second series), vol. xix. p. 579.

² *Ibid.* p. 580. ³ *Ibid.* p. 581. ⁴ *Ibid.* p. 583. ⁵ *Ibid.* p. 584.

under the force of considerations to which eventually he completely surrendered, namely,—‘that if he could see any prospect of tranquillising Ireland by the removal of the disabilities complained of, he was ready to do everything in his power to effect their removal; but it was because he doubted, because he in no degree believed, that that measure would have the effect of restoring peace and harmony in Ireland, that he gave it his strenuous opposition.’¹ In the state of mind which these words disclose, we find the only key that can perchance unlock *the mystery of Peel's mental revolution*. He was no longer really anchoring on what was right and true, but only on what appeared to be ‘safe,’ on what was, or appeared to be, the ‘least’ of dangers. Convince him that the ‘greater danger’ may be in the other alternative, as Irish Roman Catholics soon managed to do, and he is already prepared to wheel round and destroy his own past, though he himself does not think so.

After a long review of the ‘recent conduct of the Irish Catholics,’ and their treatment of Parliamentary measures ‘intended to improve the condition of the people,’ such as the laws as to vestries, as to burials, as to marriages, etc., Peel held that it was ‘vain to say, looking at the conduct of the Priesthood, and looking at the demonstrations of physical strength in calling together all the people of Ireland on one and the same day, that there was no reason for distrust.’² Then he closed his great speech with this lofty, yet evenly-weighted declaration,—‘Retaining these opinions, I shall sit down as I began with stating, notwithstanding the high authorities which are cited in opposition, that, in the present balanced state of the Government and the Parliament, it was not just nor expedient that the Roman Catholics and the Protestants of Ireland should stand in respect of Civil Offices on precisely the same footing.’³

¹ Hansard's *P. D.* (second series), vol. xix. p. 584.

² *Ibid.* p. 587.

³ *Ibid.* p. 588.

The very limitations of this carefully-guarded statement show the drift at once in Peel's own mind and in the Policy of the country. Why 'Civil' offices only? Because the 'Military' were already, and for long, open to Roman Catholics; and the inevitable retort was heard,—'If fit to serve their country in the one, why not in the other?' Again, why this phrasing about 'the present balanced state of Government and of Parliament?' Is it a question of right or wrong, which no majorities can effect,—as our Constitution-makers held at the Revolution? Or, has it at last come, in the strong politician's mind, to be regarded exclusively as a question of expediency and of votes? We shall not forestall the answer, but let the pages that follow supply it in the irrefragable accents of history.

This debate was adjourned a second time early on the morning of Saturday, but was resumed with ever-heightening ardour on Monday, 12th May.

Passing by tedious repetitions of similar arguments in many speeches, we pause for a moment and listen to the fresh note of Mr. Secretary Huskisson. He threw overboard, rather unfeelingly, 'the much-cherished Treaty of Limerick argument,'¹ and set the sister argument from the Treaty of Union in a very rational light, having been 'placed peculiarly within view of all the transactions, and stating, with the most perfect confidence, that Pitt gave no pledge of any kind as to Emancipation.'² For himself, he was 'no advocate of the Roman Catholic Church; he viewed with hostility its institutions and its doctrines; and was anxious to guard the people of this country against its perversion of Religion and its many wicked devices. But the real question was,—Whether by entertaining the present proposal you are not taking the most effectual steps to effect this desirable object?'³ Perhaps, there never was a more glaring *non-sequitur* uttered

¹ Hansard's *P. D.* (second series), vol. xix. p. 659.

² *Ibid.* p. 660.

³ *Ibid.* p. 665.

by a responsible statesman,—To save yourselves from the influence of the Roman Catholics, concede everything they ask !

Yet, on this very shaky horse, Huskisson rode bravely on, pouring forth oracular sentiments to which all history since has been giving the lie. 'I lay it down, as a general principle, that the Roman Catholic Religion could not exist in a country under the influence of a Free Press, and a Protestant Constitution, unless sustained by the counter-acting effects of persecution. Take from Ireland the influence which persecution gives, and you will find that the evils which we now deplore will dwindle, under the influence of discussion and the Free Press, into an insignificance equal to that in which the once dreaded crime of witchcraft is now held ! I call upon you, therefore, to give a Free Press, a Protestant Church, and the Energies of the Country, fair play—by removing those persecutions and restraints, and thereby lessening the influence of the Catholic Priesthood.'¹

The century is drawing to a close while we write. How far does it confirm, or throw mockery on, these confident predictions ? Romanism still resents rather vigorously being relegated to the same category as 'witchcraft !' And the power of the 'Priesthood' is, at this moment, the controlling force in Irish politics ! Alas, even wise and great statesmen, refusing the light of the Bible and of History, and trying to fathom the system of Popery only by the little rushlight of their individual feeling, have grievously stumbled, and led others to stumble, among its dark mountains.

When Huskisson sat down, the House was eager to vote ; but that could not be till Brougham had played his part.² He must have the last word, by hook or crook. His ultimate logic was the cry,—'Could things remain as they were ?'³ There were 'three courses,'—Go back, repealing

¹ Hansard's *P. D.* (second series), vol. xix, p. 666.

² *Ibid.* p. 670.

³ *Ibid.* p. 673.

the Acts of 1778 and 1793, and re-enacting the Penal Code; Go forward, granting Emancipation; or, Let them continue as they were. Before another hour 'was tolled upon the clock, the decision must go forth which will either strike dismay into the hearts of the people, or cheer them with the prospect of a glorious disenthralment.'¹ With this flourish of trumpets, mostly of the tin sort, or rattle of tin-cans rather than blare of trumpets, Brougham resumed his seat, having discounted, in his omniscience, all the great names on the other side for the last thirty years as 'the frivolous, though conscientious few.'

The vote was immediately taken. There were 272 for the Resolution, and 266 against it; so the motion was carried by a majority of 6.

The House, determined not to lose an hour, passed at once 'into Committee,' with Mr. Spring Rice in the Chair. And it was there and then agreed, upon the motion of Sir Francis Burdett,—'that it is expedient to consider the state of the Laws affecting his Majesty's Roman Catholic subjects,' and so forth, using all the familiar terms of the stereotyped Resolution of old. The House immediately resumed. The Resolution was 'reported' and agreed to; and the Commons dispersed at half-past three o'clock on Tuesday morning.²

On Friday of that same week, Sir Francis Burdett, accompanied by many other Members, brought up the following message to the Lords: 'I am desired by the Commons to state that they desire a Conference with your Lordships,'³ etc., and then he read aloud the terms of the Resolution. The Conference was agreed to for Monday at half-past five. Accordingly, on May 19th, the 'Lords and Managers of this Conference' repaired to the Painted Chamber. But they returned again 'almost immediately.'

¹ Hansard's *P. D.* (second series), vol. xix. p. 675.

² *Ibid.* p. 675.

³ *Ibid.* p. 731.

Earl Bathurst intimated that 'Sir Francis Burdett and the other Commoners had delivered into his hand the paper which he now held, and which he begged might be read by the Clerk at the table.' This document, so mysteriously introduced, was, of course, simply the 'Resolution,' with which they were all already perfectly well acquainted. And it was agreed to take the subject into consideration on the 9th June.

The Marquis of Lansdowne rose, accordingly, on Monday 9th June 1828, to invite their Lordships to 'consider the Resolution of the Commons;'¹ and he did so 'on the broad principle of public expediency.'² It came 'for the third time from the House of Commons—recommended by the concurrent views of policy now adopted by the civilised countries throughout the world, and by the state of Ireland itself.'³ After eulogising the conduct of Roman Catholics in all nations where they had equal Civil privileges, in America, in Russia, in Prussia, in Saxony, in Holland, and in Hanover, the Marquis discounted his own judgment by the egregious declaration,—'It was not to be supposed that, in Catholic countries, the same extent of Civil Liberty could not be found as in our own,—it existed, for instance, in Austria, in Bavaria, and in France!'⁴ This weak and superficial chatter about the wonderful 'Civil Liberty' enjoyed in Bavaria and in Austria, where the Pope was treated as an 'antiquated bugbear,' and Roman Catholics and Protestants 'alike eligible,' is reduced to mere delusion, when 'the difference is taken into account betwixt Office or Power in a free country under an Elective Representation, and that same privilege under an almost Absolute Government.'

Passing on, he described 'the state of Ireland as without precedent in any civilised country,'⁵ with the result that might have been expected—'the rising up of the Roman

¹ Hansard's *P. L.* (second series), vol. xix. p. 1133.

² *Ibid.* p. 1134. ³ *Ibid.* p. 1135. ⁴ *Ibid.* p. 1143. ⁵ *Ibid.* pp. 1144, 1145.

Catholic Association, attracting to itself all the attributes which ought to belong to legitimate power, the very charter of whose existence was this exclusive law.'

As to Securities,—'let it not be supposed that he thought any security which could be devised would be equal to that of attaching the hearts of the Roman Catholics to the Constitution ;'¹ for 'by conciliation alone was there any hope of placing on a solid foundation the peace and prosperity of the country.'² Ghost of Lansdowne, wherever thou dwellest, we have seen sixty years and more of such 'conciliatory' legislation towards the Roman Catholics of Ireland ; but, alas, we see not yet the 'peace and prosperity' which were so bravely promised ! Where are they ?

Earl Darnley reduced the whole question from Statesmanship to the ground of mere liking or disliking,—'He had often felt ashamed, when he had seen the Duke of Norfolk, whose seat was in the very highest place amongst their Lordships, taking his station below the Bar !'³—and much else, in the same line, on which it would be fatuous to waste further time.

The Earl of Guildford reminded their Lordships that 'the laws do not restrain opinions, but they cautiously refuse trusts. They limit for the public good the privileges of age, sex, station, property, and also of Religious Sects, when they are found to be inconsistent with the safety of the State. In a word, they acknowledge no maxim of Civil Policy that leaves the general welfare out of consideration.'⁴ He could not, therefore, see that the danger of this concession was altered 'by the estimation of the honour and integrity of individuals,'—for that honour 'cannot be accepted as our security which is pledged in opposition to our interests.'⁵

Turning to another part of the controversy, the Earl very pertinently asked,—'How can the liberty to sit in

¹ Hansard's *P. D.* (second series), vol. xix. p. 1147.

² *Ibid.* p. 1149.

³ *Ibid.* p. 1169.

⁴ *Ibid.* p. 1171.

⁵ *Ibid.* p. 1172.

Parliament produce tranquillity and concord? That privilege was withdrawn, because it produced precisely the opposite effect, and was held to be the dangerous instrument of disaffection, to threaten the disunion of the two countries.' And, going to the roots of the problem, he affirmed,—'It is *the religious aversion from us and our Protestantism*, and not the traitorous, not the dishonourable, but the conscientious and legitimate exercise of it, when introduced into the great Councils of the Nation, which we may justly apprehend; against which there can be no security unless Roman Catholic Bishops, Legislators, and Privy Councillors can be found who would earnestly contend for the Ascendency of our Faith, which they believe to be destructive of the eternal welfare of men.'¹

The next to enter the arena of debate was the Bishop of Durham. He hit the nail upon the head very precisely, and what is better, hit the right nail too, in grappling with the question thus: 'Is this state of things, then, to continue for ever? For my part, I hardly can conceive that anything could give effectual security—short of the entire renunciation of the authority of the See of Rome!' Lord Clarendon, in his work on *Religion and Polity*, suggested a 'distinction to be made between those Roman Catholics who would renounce the jurisdiction of the Pope and those who would not.'² Bishop Lloyd, a staunch defender of the Protestant cause, and one of the seven Bishops sent by King James to the Tower, wrote an excellent Tract to the same purpose, wishing 'that the Penal Laws might be mitigated for those who would withdraw from, and dissolve their connection with, the Pope, and be left in force only against those who adhered to the same.'³

How often, in our meditations on history, have we dreamed this dream! Would that our Irish Catholics,

¹ Hansard's *P. D.* (second series), vol. xix. p. 1173.

² *Ibid.* p. 1181.

³ *Ibid.* p. 1182.

renouncing all submission to any *Foreign* Priest, any Pope outwith the borders of their own country, could be persuaded to stand side by side with us as fellow-citizens, equal in every Civil concern, and owning no Spiritual Supremacy but that of Jesus Christ ! Then all good men would gladly cry,—A fair field and no favour, and may God defend the right !

The debate was adjourned till Tuesday, and the first then to enter the fray was Lord Colchester, with weapons freshly pointed by an independent study of all the issues. Answering the pretence that the rigour of Popish tenets had been ‘mitigated in modern times,’¹ he pertinently reminded their Lordships ‘that the last Pontiff, in his Circular Letter of 1808, declared to the Foreign Ministers of Europe,—‘that the Church of Rome abhors toleration,’ and, in his Circular to the Cardinals and Clergy of Italy, prohibited the taking of Oaths of ‘unqualified allegiance’ to any Sovereign ; further, that in England, the Vicars-Apostolic in 1812, by a solemn judgment on the Bills then pending, declared that no Roman Catholic could upon Oath disavow the ‘Dispensing Power,’ nor disclaim ‘their desires and endeavours to weaken, disturb, and overthrow the Protestant Religion,’ not to say the Protestant Establishment ;’ further, he referred them to the Report of their own Committee in 1825, and the Report on Education in Ireland in 1827, ‘to prove clearly that the “Dispensing Power” as to Oaths is still maintained without any practical limitation,’ and also to the ‘class-books’ still in use at Maynooth, ‘where prevarication upon oath, treason, and cabal seem to thrive most abundantly,’ to prove that these are ‘not antiquated opinions, but the living doctrines of the very men who now ask you for power to enforce them.’²

Facing his antagonists squarely, Lord Colchester exclaimed, in criticising the proposal to solve our difficulties by opening direct ‘intercourse’ with the See of Rome,—

¹ Hansard’s *P. D.* (second series), vol. xix. p. 1216.

² *Ibid.* p. 1217.

‘This is a full, free, and frank admission of the “divided allegiance” of Roman Catholics! The Sovereign of these Realms is to take to his aid the Sovereign Pontiff to help him in the Government of his own subjects!’¹

After His Royal Highness, the Duke of Sussex, had put in a gentle plea against continuing these disabilities ‘beyond a period when it would be possible to defend them,’² the voluble Lord Chancellor Lyndhurst took up the cudgels on the other side. His speech ought to be carefully marked, as you will soon hear the same voice ringing as eloquently against itself! He dated ‘the Constitution of England in its entirety’ from 1688;³ for then, ‘for the first time, Roman Catholics were expressly excluded from the Crown, as they had before been excluded from Parliament and from Offices.’⁴ He denounced ‘both the Clergy and the Laity’ as determined to extort ‘unconditional Emancipation’ from the Legislature ‘by dint of intimidation and threats,’⁵—quoting the declaration of one of their letters, published in Ireland, that ‘*the Catholics would allow Ireland to be tranquillised, but it must be upon their own terms*,’⁶ and the threat of the coadjutor of Dr. Doyle, the titular Bishop of Killala, that ‘the barrier of the Protestant Church of Ireland must be removed, or the Union will never be complete, and Ireland will never be tranquil.’⁷

And, then, this voluble Lord Chancellor closed with words often to be quoted against himself in the days to come,—‘By agreeing to this motion you will not purchase tranquillity. You will only give new means to support further claims to be urged and backed by the very power which you yourselves have conferred!’⁸

Lord Plunkett followed, still declaring that ‘to talk of changing the Protestant Religion in Ireland, without shaking

¹ Hansard’s *P. D.* (second series), vol. xix. p. 1220.

² *Ibid.* p. 1248.

⁶ *Ibid.* p. 1254.

⁴ *Ibid.* p. 1249.

⁷ *Ibid.* p. 1257.

² *Ibid.* p. 1242.

⁵ *Ibid.* p. 1253.

⁸ *Ibid.* p. 1258.

the Protestant Establishment of the Empire, was idle!' ¹ To him the Protestant Establishment of Ireland was 'the very cement of the Union;' and he affirmed that its destruction would ultimately mean 'the dissolution' of the Union, and that the annihilation of private property there 'would follow the ruin of the property of the Church.' ²

What think our readers of this from the most unflinching advocate of Roman Catholic Claims? That 'Protestant Establishment' has long since been swept away. How would Plunkett's votes have gone had he foreseen that result? Then, what about his other prognostications—on the connection between Ireland and Britain, and on the security of private property? We have lived to see both unscrupulously and malignantly attacked; but we shall leave History in her impartial evolution of events to tell the final consequences of that assault. *It is certain that Plunkett was deceived by the Roman Catholics of that day, or that he deceived himself*, and that his reasons for 'Emancipation' have all been contradicted by the facts of time.

Referring, further on, to the then 'state of Ireland,' with the leaders of the 'Catholic Association' vying with each other in the race for vulgar popularity, his Lordship scornfully exclaimed:—'These demagogues are the spawn of your own wrongs! You yourselves have created them.' ³ And he still harboured the illusion of the State at once inspecting the 'correspondence' with the Pope for its own security, ⁴ and at the same time rendering the Roman Catholic Clergy 'respectable' in the eyes of their flocks by a competent 'provision.' ⁵

The Earl of Eldon's voice in reply had still the ring of the old times and the old argument:—"Be just and fear not" has ever been my motto!' He objected, 'after twenty-

¹ Hansard's *P. D.* (second series), vol. xix. p. 1260.

³ *Ibid.* p. 1268.

⁴ *Ibid.* p. 1274.

² *Ibid.* p. 1260.

⁵ *Ibid.* p. 1275.

five years of discussion,' to go into Committee on a resolution so 'vague and general in its terms.' At the risk of being again nicknamed 'an almanac-maker,' he restated the 'facts and circumstances which gave rise to these disabilities,' and quoted Lord Hale to the effect 'that "the Pope of Rome to increase his power in this realm took a subtle distinction between what was 'Spiritual' and what was 'Temporal'—*in ordine ad Spirituale*—and that the Oath of Supremacy was framed in order to meet that difficulty."'¹

At last, brushing aside all mere sentimentality, the old Chancellor finished up with this splendid retort, his feet standing proud and firm on the rocks of the Constitution:— 'Allusion has been made to the necessary rejection of the Duke of Norfolk should he present himself in this House. It would be, indeed, a most painful duty. But *if the Sovereign himself should appear there, without having previously taken the Oath and the Declaration*, as required by law, he should be constrained to inform him that he was *ipso facto* incapacitated from discharging the Constitutional functions of King!'²

Then the Marquis of Wellesley, on the other side, gave his 'thorough impression that these laws, once fondly imagined to be a security, were now their danger;'³ but insisted that 'his noble relative would require, and that the Roman Catholics must concede, such securities as should satisfy the whole body of his Majesty's subjects.'⁴

The Duke of Wellington closed the discussion, delivering himself of his last speech on the subject before his great surrender. He could 'not consent to the view of his noble relative,' but held that we ought to see clear and distinct 'Securities' given to the State before we gave our vote in the affirmative.'⁵ Mark this sentence, and the following one,

¹ Hansard's *P. D.* (second series), vol. xix. pp. 1280, 1281.

² *Ibid.* p. 1282.

³ *Ibid.* p. 1285.

⁴ *Ibid.* p. 1286.

⁵ *Ibid.* p. 1287.

and continue to wonder how any man could honestly utter them, and yet produce the Relief Bill of next year, ostentatiously stript of all such guarantees :—‘I should be glad to see the disabilities of the Roman Catholics removed, but I must see something in their stead which will effectually protect our Institutions.’¹

Thrusting aside the charge of religious bigotry, Wellington keenly, yet truly, retorts :—‘We have never objected to Roman Catholics on the ground that they believe in Transubstantiation, or in Purgatory, or in any other of these peculiar doctrines by which they are distinguished. But we objected to their opinions, because upon these opinions was founded *a system of Political conduct*. . . . Recollecting the transactions that have taken place in Ireland during the last twenty-five years, and seeing how the Roman Catholic Church has been acting there—in the spirit of combination, in the spirit by which the Laity has been governed—I confidently affirm that that is the cause of the present disturbed state of things in Ireland.’²

Dealing with the so-called ‘Securities,’ the Duke declared ‘that the Roman Catholic Religion does not appear in its nature to be adaptable to the spirit’ of our free Protestant Constitution ; and suggestively called their Lordships to note the damning circumstance that in all the countries of Europe ‘the Sovereigns have found it necessary to call upon the Pope to assist them in the governance of their Roman Catholic people ;’ from which he drew this memorable inference :—‘The fact really is that it would be found equally impossible to govern the Catholic subjects of Ireland until some such *Concordat* should be obtained, if any further concessions were to be granted to them.’³

The concessions, however, have been made—the Duke himself becoming one main, if not the main influence, in granting

¹ Hansard’s *P. D.* (second series), vol. xix. p. 1287.

² *Ibid.* p. 1288.

³ *Ibid.* p. 1289.

them as we shall immediately see. Let this History also tell whether or not the consequences he clearly saw have as certainly followed, whether the Roman Catholics of Ireland are now really governed by loyal submission to British and Imperial laws, or whether they are moulded and swayed and driven by the Priesthood of Rome?

When the Duke sat down the vote was taken. The contents numbered 137, and the non-contents 181; so the resolution brought up from the Commons was rejected in the Lords by a majority of 44.¹

On Thursday following, 12th June, while certain petitions were being presented from the Catholics, the Members of the House of Commons entered upon a sort of conversational discussion, led by Sir Francis Burdett, Mr. Spring Rice, and others.² In response to their observations, Mr. Secretary Peel declared, with his usual vehemence, that 'under the constitution of the present Government each individual Member was at liberty to entertain and to support his own opinions.'³ Then glancing at the result of the debate in the Upper House, he emphatically protested, unconscious as yet of any dawning revolution, that 'speaking for himself, and himself alone, his sentiments upon the subject remain unaltered.'

Immediately, and almost of course, Brougham again leapt to the front, finding 'great grounds of consolation in the manner in which the Resolution of that House had been rejected!'⁴ With great astuteness, he fastened upon 'the recorded admissions of their former foes,' rejoicing that 'all the theological lumber had now been thrown overboard,' and glorying on the acceptance of a lower platform on which to fight the battle out:—'It is now a question of expediency alone, according to the highest authority!' There was a wicked glee in Brougham's tone; but, after all, as will soon

¹ Hansard's *P. D.* (second series), vol. xix. p. 1294.

² *Ibid.* p. 1318.

³ *Ibid.* p. 1323.

⁴ *Ibid.* p. 1331.

be manifest, he had the best of reasons to rejoice. He and his friends in Ireland would soon make 'squeezable expediency' spell 'unconditional surrender;' but not even he had for once dreamed that such spelling could ever be done by the lips of Robert Peel.

CHAPTER VI

THE ROMAN CATHOLIC RELIEF BILL

A.D. 1829.

OUR History here reaches its climax. More earnestly than ever do we set ourselves to portray facts, and let them speak. The great men who move upon the stage shall defend their own policy, and in their own words. Every reader shall be put into possession of all the materials; but the judgment at which he arrives must be taken and held on his own responsibility.

SECTION I

Opening Skirmish: the King's Speech

THE 5th February 1829 saw the opening of the third session of the Eighth Imperial Parliament. The King's Speech was brought in and read by the 'Lords Commissioners'—Lyndhurst, Wellington, Bathurst, Shaftesbury, and Ellenborough—while 'a great crowd' from the House of Commons listened at the Bar. It consisted of twenty-four paragraphs, and no less than seven of these were devoted to Ireland. They have made history, and must here be quoted in full:¹—

'My Lords and Gentlemen, the state of Ireland has been the object of his Majesty's continued solicitude.

¹ Hansard's *P. D.* (second series), vol. xx. p. i.

‘His Majesty laments that, in that part of the United Kingdom, an Association should still exist which is dangerous to the public peace, and inconsistent with the spirit of the Constitution ; which keeps alive discord and ill-will amongst his Majesty’s subjects, and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.

‘His Majesty confidently relies on the wisdom and on the support of his Parliament, and his Majesty feels assured that you will commit to him such powers as may enable his Majesty to maintain his just authority.

‘His Majesty recommends that, when this essential object shall have been accomplished, you should take into your deliberate consideration the whole condition of Ireland, and that you should review the laws which impose Civil disabilities on his Majesty’s Roman Catholic subjects.

‘You will consider whether the removal of these disabilities can be effected, consistently with the full and permanent security of our Establishments in Church and State, with the maintenance of the Reformed Religion established by law, and of the rights and privileges of the Bishops and Clergy of this realm and of the Churches committed to their charge.

‘These are institutions which must ever be held sacred in this Protestant kingdom, and which it is the duty and the determination of his Majesty to preserve inviolate.

‘His Majesty most earnestly recommends to you to enter upon the consideration of a subject of such paramount importance, deeply interesting to the best feelings of his people, and involving the tranquillity and concord of the United Kingdom, with the temper and the moderation which will best ensure the successful issue of your deliberations.’¹

Such was the egg out of which was, by-and-bye, evolved the Relief Bill of 1829.

¹ Hansard’s *P. D.* (second series), vol. xx. p. 5.

The then Marquis of Salisbury, in moving the 'Address in reply,'¹ described 'the Association established in Ireland as dangerous to liberty and inconsistent with the principles of the British Constitution. It had not hesitated to levy taxes and to exercise a kind of legislative control over the people of Ireland. And it was the more to be reprobated as it was assisted by the power of the Roman Catholic Priesthood—a power but too often applied to the support of the Association in proceedings which did not promote the tranquillity of the country but engendered religious animosity, and excited the worst passions of the people.'² How history repeats itself! While I am quoting these words, another Marquis of Salisbury, Prime Minister in 1892, is charging the Priests of Rome with attempting to coerce Ireland by their 'clerical domination,' and warning his countrymen against that most fatal of all despotisms.

Continuing his speech, the mover of the 'Address,' that earlier Marquis, pointed out with an almost painful emphasis, that in voting with him, 'they would not pledge themselves to any particular measure—they went no further than strictly to pledge themselves to the "consideration" of the subject.'³ And, as if dreading that they and he alike were being led on to the ice, he declared, 'that for his own part, though anxious for the adjustment of the Catholic Question, he had no hesitation in saying that he would never consent to repeal the laws now in force unless it could be done with a full and ample security to the Established Church. . . . Unless such securities were introduced, as he thought absolutely necessary to the security of the Protestant Establishment, he would never consent to Catholic Emancipation!' May be so; but, my brave Marquis, the bill which you are helping to introduce has, all unknown to you, been drafted on the very principle of ignoring all securities whatever. Wait a little, and we shall see how you like it!

¹ Hansard's *P. D.* (second series), vol. xx. p. 5. ² *Ibid.* p. 8. ³ *Ibid.* p. 9.

The Earl of Wicklow, 'as a representative from that country,' seconded the 'Address,' 'having heard with more than ordinary feelings, and with more than ordinary satisfaction, the recommendation regarding Ireland.' He hoped 'that the Roman Catholic Association, with its baneful influences, now that it perceives what is recommended even from the Throne itself, will perform one act of wisdom—will dissolve itself!'¹

At this stage, in answer to a question from the Duke of Newcastle, Wellington as Prime Minister 'informed their Lordships that it was the intention of his Majesty's Government to present to Parliament, in the course of the present session, a measure for the adjustment of what were called the Roman Catholic Claims, in a substantive shape, extending to the removal generally of all Civil disabilities under which the Roman Catholics laboured, with exceptions solely resting on special grounds, and to be accompanied by other measures rendered necessary by the removal of these disabilities.'²

The Earl of Winchilsea at once replied that 'he considered conduct like this a gross violation of political rectitude and consistency.'³

And the Earl of Eldon vigorously declared that 'he would betray his duty to his Sovereign and his fellow-subjects and to the principles of Protestantism as established at the Revolution—founded and carried into effect (as now appeared!) by bigots in Religion and Politics (though he must be permitted to say there might also be bigots in laxity and liberality!)'⁴—if he did not protest against this concession, on a subject the most important that had ever occupied the Legislature since the Bill of Rights was first brought forward.⁵ . . . A noble Lord (Holland) had once said that "toleration" was a word which he hoped to

¹ Hansard's *P. D.* (second series), vol. xx. pp. 12, 13.

² *Ibid.* p. 13.

³ *Ibid.* p. 14.

⁴ *Ibid.* p. 15.

⁵ *Ibid.* p. 16.

find one day forming no part of the English language, and had advocated his side of the question on the ground "that Religious opinions had nothing to do with politics." Now, if that were true, the King had no right to be on the throne of these realms; for the fact was that his Majesty sat upon the throne by virtue and in consequence of peculiar religious opinions; and the present Line had been called there expressly for the purpose of guarding the Protestant Establishment of this country. . . . Do not deny the Roman Catholics the benefits of the Constitution as far as they can enjoy them with safety to others; but for God's sake do not destroy the Constitution itself for the sake of admitting them!"¹

Having thus unflinchingly vindicated his position, he closed, protesting that 'such were his opinions; his country might send him to his grave, covered with all the obloquy that could blast the reputation of a public man, but to these declarations he must adhere.'²

Lord Farnham called the attention of their Lordships to the amazing fact that 'in the noble Duke's last speech, he had declared his "unabated opposition" to this measure; and likewise, still later, in a letter to Dr. Curtis the Catholic Primate of Ireland, he had insisted that "this was not the proper season for discussing such a topic." The people were not prepared for this sudden change in the Prime Minister, regarding which, till the last moment, they had all been sedulously kept in the dark.'³

The Marquis of Anglesey, commenting on his own administration of affairs in Ireland, and particularly on the Roman Catholic Association there, very sagaciously protested:—'The nearer the soldier is to the enemy, the less sensible is he of danger! I have lived for the last ten months under the nose of that Association, and I positively declare that I neither saw nor felt this danger so much talked of.'⁴

¹ Hansard's *P. D.* (second series), vol. xx. p. 17.

³ *Ibid.* p. 26.

² *Ibid* p. 21.

⁴ *Ibid.* p. 31.

Lord Redesdale 'wished their Lordships to consider that all Protestant Sects dissenting from the Established Church were voluntary associations, still actuated by English feelings and English sympathies, whilst the Roman Catholics were all members of a foreign body, and in constant correspondence with a foreign State.'¹

At this stage, the Duke of Wellington again struck in, and for the time wound up the discussion by affirming, 'that he had invariably declared himself anxious for the settlement of this question, and had always considered that a moment of tranquillity was necessary for such a settlement.' Hence he informed their Lordships 'that the measure to be proposed, first of all, was calculated to produce that tranquillity.'² In glancing at the objections that had been urged, 'he hoped their Lordships would wait with patience till the proposed adjustment of this question was placed as a whole deliberately before them, and would not take it into consideration by piecemeal.'³ The 'Address' was thereon 'unanimously' agreed to.

The proceedings in the Commons, on that same Thursday, 5th February, were very similar, but a little more full-blooded and lively.

The 'Address' in reply was moved by Lord Clive. He declared that, 'since the prorogation of Parliament, Ireland had been in a state of daily increasing excitement and confusion, now reaching such a height that it was impossible for any man to say when an explosion would take place that would defy any ordinary power to suppress.'⁴

Lord Corry seconded, and delivered himself with ardour against the Roman Catholic Association as 'the parent evil of Ireland,' trusting that the House 'would determinedly apply itself to the rooting out of that evil.'⁵ Personally he had always opposed the removing of the Roman Catholic disabilities, 'because the claimants never came to him with

¹ Hansard's *P. D.* (second series), vol. xx. p. 36.

² *Ibid.* p. 41.

⁴ *Ibid.* p. 48.

² *Ibid.* p. 40.

⁵ *Ibid.* p. 57.

sufficient securities for the integrity of the Protestant Constitution of this country. And he would to-morrow oppose any measure with a similar objection—no matter from what quarter it emanated !’

But, having thus bravely protested against the very thing he was at the moment helping to bring about, Lord Corry proceeded to unveil to us the swaying of his mind in this delightfully ingenuous manner :—‘ When he considered the state of Ireland placed on the brink of civil war, when men of every party felt alarmed and doubtful of their course, and when he considered that such men as the illustrious Duke at the head of the Government and the Right Honourable the Secretary of State for the Home Department, whom all looked up to as the tried “champions of the Protestant cause,” and in whose integrity all placed implicit confidence, declared that concession was essential to the safety and wellbeing of the Protestant Church itself, and that some attempt at concession therefore must be made, he consented willingly and cheerfully to go into the investigation of this subject, and to see whether something could not be done to satisfy the views and feelings of both parties.’¹

Nothing could more ingenuously reveal the process by which multitudes of sincere Protestants were being led to make this ugly plunge ; they were only committing themselves to ‘ consider ;’ and they were being guided by the ‘ tried and trusted champions of the Protestant cause’ !

Mr. Bankes was still as resolute as heretofore, and would ‘ take it upon himself boldly to state that he was never in his life more firmly convinced of anything than that if seats in Parliament should be conceded to the Roman Catholics, it would be the means of destroying that Church which they were all so much bound to revere ; and that it would be impossible for the Protestant Church in Ireland to stand many years after such a concession.’² Of course, Mr. Bankes

¹ Hansard’s *P. D.* (second series), vol. xx. p. 58.

² *Ibid.* p. 61.

was denounced impartially by certain men on both sides as an 'incurable and mole-eyed bigot.' All the same, history has proved that Mr. Bankes was perfectly correct. The Protestant Establishment in Ireland has long since been swept by the board.

Sir Robert H. Inglis, with his usual incisiveness, declared 'that, in this case, to "consider" meant to "concede;" and that concession meant nothing more nor less than the prostration of Protestantism at the feet of Roman Catholics.'¹ And he indignantly exclaimed:—'Was he now to be told that his Majesty's Ministers had yielded to *intimidation*, to the intimidation of men who had approached as nearly as possible to rebellion?'²

But Mr. Maurice Fitzgerald lifted up his voice to another tune, 'for the Duke of Wellington could never be intimidated;'³ while Mr. Brownlow carried aloft the blazing torch of rhetoric, and 'would sooner be the Prime Minister with this charter of liberty in his hand, standing forward as the saviour of Ireland, than the great captain whose fame resounded through all the world, covered with the glories achieved in the Peninsula, and distinguished by the ensanguined laurels of Waterloo!'⁴

The time had now come, and Mr. Secretary Peel rose to give an explanation of his position.⁵ He frankly confessed that it was 'the most painful circumstance that could be imposed on a public man; to separate from those with whom he had so long acted' was amongst the 'severest of all sacrifices.' But whatever might be 'the understanding on which a Government was formed, that could not absolve the Ministers under the service of the Crown from the paramount duty of offering the best advice to his Majesty upon any important conjuncture, and of being responsible for that advice.'⁶ That was the vindication of their right to act as

¹ Hansard's *P. D.* (second series), vol. xx. p. 62.

² *Ibid.* p. 63.

³ *Ibid.* p. 66.

⁴ *Ibid.* p. 69.

⁵ *Ibid.* p. 72.

⁶ *Ibid.* p. 73.

they had done. And for his own personal justification, he would unhesitatingly declare that there was under present circumstances much less of evil, much less of danger, in considering the whole condition of Ireland by a united Government than there was in any other course that could be pointed out.’¹

Though thus changing his policy, Peel almost scornfully rejected the suggestion that he was a convert to other principles.—‘He pretended to no new light on the Catholic Claims. He entertained the same opinions which he ever entertained in reference to that question. He saw as clearly as ever the dangers which he had hitherto felt. But he had no hesitation in saying that the pressure of present events was so great and overwhelming that he was willing to encounter the risk of those contingent fears, rather than in the existing situation of the country to endure, not only the continuance, but the aggravation of the present system.’²

The reader has in this early utterance *the whole philosophy of Peel's political revolution*; all the succeeding orations add nothing essential. He was prepared to admit Roman Catholics to Parliament and Offices of State, and to risk all the consequences, rather than grapple with the Roman Catholic Association in Ireland and risk greater commotion, if not Civil War. It is vain to pretend that intimidation was not *the main factor* in bringing about this concession; but the reader must form his own deliberate opinion as to whether it was not after all wiser and better to yield, or whether in such yielding Peel was a traitor to the higher and highest interests of his country. Perhaps it is only in a long stretch of history, and in view of the ultimate issues that a final verdict can justly and safely be reached.

At great length, Peel then reviewed the last five-and-twenty years, described the divided state of the Cabinets on this question, the conflicting votes for and against concession

¹ Hansard's *P. D.* (second series), vol. xx. p. 74.

² *Ibid.* p. 74.

in the House of Commons itself, and finally the war betwixt the two Houses of Parliament,—a state of matters which he characterised as ‘a great Constitutional evil, which he saw no means of removing, except by the full and deliberate consideration of this whole question.’¹ He made a bold appearance of facing the Roman Catholic Association, and declared ‘that until the ascendancy of the laws was vindicated, they ought not to consider the question of concessions at all.’²

Thereafter, but only thereafter, ‘it was intended to submit to the House, on the responsibility of a united Cabinet, a permanent settlement of the question on what they believed would be thought a satisfactory basis ;³ . . . not to be regarded as a compact or compromise with any set of men, not connected with negotiations with any Foreign power, but solely of domestic and internal legislation ; without interfering with the rights and dignity of the Crown, securing peace to the country, and having no reference whatever to any parties or factions.’

Passing on to look at the issues, Peel confessed that his estimate of the probable ‘advantages’ of this measure ‘fell infinitely short’ of the anticipations of many Right Honourable Members ; but one advantage it certainly would produce,—the public mind would be quieted by it ; and if then there should be any attempt, the Civil disabilities being removed, to trench upon the prerogatives of the Crown, or to innovate by legislative enactments, he was sure that such attempt would be at once effectively rebuked and punished.’⁴ Alas, for Political prophecy ! Men, pleading the very example of Peel himself, have ‘attempted’ and ‘innovated’ far beyond what he deprecated as incredible ; and, above all, the public mind of Ireland ferments still, at least in Roman Catholic quarters, and has never been ‘quieted.’

¹ Hansard's *P. D.* (second series), vol. xx. p. 80.

³ *Ibid.* p. 82.

² *Ibid.* p. 81.

⁴ *Ibid.* p. 83.

Vindicating himself from 'the base charge of cowardice, of being intimidated into concessions,' and holding that there was 'a temper of mind more dangerous than that, though it might not be so base, the fear of being thought to be afraid!'¹—he claimed 'that he was not the man to be deterred by threats and commotions; but he could not understand the constitution of that man's mind who, looking upon Ireland in its present state, could be free from the apprehension of consequences which might arise from allowing such a condition of affairs to continue.'²

Grappling at length with purely personal questions, Peel made an engagingly frank confession regarding 'his own peculiar situation.' The opinions on which he was now proceeding 'had been formed more than six months ago, almost immediately after the rising of the last session,' and had been 'communicated to his noble friend at the head of the Government.'³ In August, he wrote to him that he would 'willingly retire;' but his noble friend had said that 'that would greatly embarrass him,' and 'no consideration could induce him in these circumstances to urge his personal wishes.' He considered it 'perfectly reconcileable with his duty as a Member of this House, and as a servant of the Crown, to do all he could to fulfil the solemn injunction of his Majesty to "consider" this question, involving the best feelings of the people and the tranquillity of the United Kingdom.'

It may be safely admitted that no statesman ever found himself in a more compromising position than did Peel with such a record behind him; and it must be generously confessed that, if defence of such tactics be possible, no man could have made it more gallantly, more skilfully, more imposingly than did the erewhile 'champion of the Protestant cause,' but now advocate of Roman Catholic 'Emancipation.'

By the inevitable necessities of dramatic unity, Brougham

¹ Hansard's *P. D.* (second series), vol. xx. p. 84. ² *Ibid.* p. 85. ³ *Ibid.* pp. 85-87.

must again follow Peel. His breath seems taken away by the very greatness of their victory, and he pants out,—‘Government must at once carry, or must for ever resist, concession!’¹ Then, addressing himself to ‘those who had not changed their opinions,’ he exclaimed, in his stagiest style,—‘I ask those men to point out, either in this, or in the other House of Parliament, the materials of which their Anti-Catholic Cabinet could be composed? It is quite clear that the thing is politically, I might almost say physically, impossible!’² There were malicious whispers that Harry Brougham’s transcendent conceit tempted him to esteem his single brain as outweighing any Cabinet of the time, that could have been formed, were he not included.

Mr. Henry Grattan added that he was ‘no flatterer of Ministers,’ but he expressed his joy in this peculiarly Irish symbolism,—‘The words of the Right Honourable gentleman that night would lay low the Orange Standard of the North, and would prevent the rising of the Green Standard of the South.’³ Sir Francis Burdett also, to whom the laurels really belonged after all, ‘hailed the intended measure as a harbinger of peace to the two Kingdoms, which would make the Union a Union of Hearts!’⁴ Truly, we again repeat, there is nothing new under the sun; here is our modern cry still, ‘a Union of Hearts.’ But, for the purposes of this History, it is sufficient to emphasise the fact that all, and more than all, that these good men desired has been done, and done generously, for Ireland; but that, so far as regards the Roman Catholics of Ireland, harmony and unity of hearts with Great Britain are as far away as ever. Is there something, after all, *not in the nature of Irishmen, but in the nature of Popery*, to which they are so largely wedded, that neutralises all those blessings, that will not rest, because it cannot, in any concession short of absolute surrender to Papal Supremacy? That

¹ Hansard’s *P. D.* (second series), vol. xx. p. 90.

³ *Ibid.* p. 98.

² *Ibid.* p. 91.

⁴ *Ibid.* p. 101.

is the key, we believe, and this History demonstrates it. Statesmen, who refuse to use that key, can never see into the heart of this abiding mystery.

Next day, and now in fact almost every day, Petitions 'for' and 'against' the Roman Catholic Claims occupied a great part of every sitting in either House of Parliament. It would take a large volume to record simply the title and the prayer of each Petition.

The Solicitor-General, on Friday 6th February, in presenting one from the 'Dean and Chapter of the Cathedral Church of Chester' protested that, 'seeing no way of resisting those claims with success, he would better discharge his duty to those who sent him there, and to his country, in bestowing what time he could apply to the purpose of framing, devising, and perfecting such securities as would establish permanently and inviolably the Protestant Ascendency in this country, than by wasting his time in single and fruitless opposition to all concession.'¹ Such men either could not understand, or would not believe, that the proposed bill had on principle abandoned all securities; and that, while they were praying for one thing, Peel was planning the opposite. Yet they were swept on in the swelling flood, and finally voted for that which they had been swearing they would never approve, viz., *Emancipation without Securities*.

When the 'Address' in reply was again taken into consideration, a second day's debate in the Commons ensued. Mr. Leslie Foster viewed the proposal as 'a settlement of Roman Catholic Claims on Protestant, not on Catholic, principles,' and could not but regard Peel and Wellington as 'sufficient guarantees' for the interests of the Protestant Church!² Mr. Huskisson considered 'the communication yesterday made to Parliament as the most important, and the happiest event, since the Accession of the House of Brunswick to the

¹ Hansard's *P. D.* (second series), vol. xx. p. 104.

² *Ibid.* p. 108.

Throne.'¹ And Sir John Newport, 'rejoicing in the near victory of the Cause of which he had during half a century been the unshaken advocate, urged his earnest entreaty upon the Catholic Association, that they would, without waiting for any Legislative Acts whatever, forthwith dissolve themselves.'²

Then Peel rose once more, and, moved so far as such a heart of iron could be moved by the storm he had raised declared with an appearance of great dignity (if one could but forget his previous declarations!),—'Now, that he had undertaken this most important, most difficult, and to him most painful task, he would devote his best exertions to carry it to a successful issue. No reproaches from these honourable friends, with whom he had so often acted, and for whom he entertained the most cordial respect,—no opposition from those whom he had been in the habit of meeting as opponents,—should betray him into the expression of angry feelings.'³ . . . He did not blame honourable friends who thought his conduct inconsistent. He would only say that if they were in possession of the information which he possessed, with respect to the state of society in Ireland, he firmly believed that they would come to the same conclusion, namely, that the Government could no longer remain neutral, leaving the two parties to fight out the battle between them, and that no stable Government could be formed on the principle of eternal and uncompromising resistance to the Catholic Claims.'⁴

At length the 'Address' was unanimously agreed to. And, as we close this opening skirmish, we have through these pages, as through windows, a clear vision of the battle to be waged, the motives that are at play, and the vital issues that may flow from the Peel-Wellington somersault of 1829.

¹ Hansard's *P. D.* (second series), vol. xx. p. 112.

³ *Ibid.* p. 128.

² *Ibid.* p. 120.

⁴ *Ibid.* p. 130.

SECTION II

The Suppression Bill and Personal Matters

THE next scene in this drama may be entitled the 'Roman Catholic Association Suppression Bill.' The intervening days were filled with countless petitions 'for' and 'against,' but we cannot even look at them. You may imagine the rest when you learn that, on Monday, February 9th,¹ Lord Eldon presented eighteen separate and numerous signed petitions; and, on the 10th, the Duke of Rutland presented one signed by 17,935 persons from the County of Leicester.² On the same day, after many Petitions had been presented on both sides, Peel stood up in his place and moved for leave to bring in a 'Bill for the Suppression of Dangerous Associations or Assemblies in Ireland.'³ He proceeded 'to justify the allegations in the "King's Speech from the Throne," and to demonstrate the immediate necessity, for the preservation of the peace in Ireland, of increasing the powers at present intrusted to the Executive Government in that country.'⁴

Our only interest in this Speech here is because it unveils to us the kind of work that was being done by the 'Catholic Association.' Peels says,—'During September last, bands of peasants, to the number of eight or ten thousand, paraded various parts of the country in a sort of military array.'⁵ . . . The condition of private society in Ireland dwelt most heavily on his mind,⁶ *e.g.*, great animosity against those who joined the "Brunswick Clubs," "Exclusive Dealing" recommended, and secret instructions issued as against "Captain Rock."⁷ . . . The proposal of the Government was to give to the Lord-Lieutenant, and to him alone, the power of suppressing any association or meeting which he might think

¹ Hansard's *P. D.* (second series), vol. xx. p. 132.

² *Ibid.* p. 161.

³ *Ibid.* p. 177.

⁴ *Ibid.* p. 178.

⁵ *Ibid.* p. 185.

⁶ *Ibid.* p. 190.

⁷ *Ibid.* p. 193.

dangerous to the public peace, or inconsistent with the due administration of the law.'¹

Readers of our day will mark, with peculiar interest, this 'Exclusive Dealing' phrase, for which these later times have coined the word 'Boycotting,' but which all students of Popery know to be only one outcome, and not even the worst, of Papal Excommunication with all the penalties which it implies and enjoins.

Sir Joseph Yorke 'wanted to know if the Great Agitator did not say that "the Catholic Association would still continue to meet," "and that the first day he took his seat in Parliament he would propose the dissolution" of the hated Union.'² But Mr. Villiers Stuart promptly replied that 'he was happy to acquaint the gallant Admiral that the Member for Clare had arrived in town, and would afford him every information in his power.'³

Lord Palmerston 'could have wished that the great Measure of Catholic "Emancipation" had not been coupled with this Measure of "Coercion." When it was in their power to build a bridge of gold between the two countries, it was unwise to build this bridge of iron. But he would assist in erecting this rather than go without any bridge at all!'⁴ So the bill was brought in and read a first time.⁵

Two notable events occurred on February 12th, one in either House.

The Earl of Falmouth, in presenting Petitions to the Lords, talked of the Duke of Wellington's proposal as 'Catholic Emancipation.' Whereon the Duke sharply retorted, as if under a personal slight, that 'the noble Lord was unjustified in putting the words "Catholic Emancipation" into his mouth! That was a mere term of cant, and obviously used to bring him into public odium.'⁶ He meant—as if the Roman Catholics were in slavery, and needed to be

¹ Hansard's *P. D.* (second series), vol. xx. p. 198.

² *Ibid.* p. 211.

³ *Ibid.* p. 212.

⁴ *Ibid.* p. 235.

⁵ *Ibid.* p. 242.

⁶ *Ibid.* p. 244.

emancipated; as if to remove Civil Disabilities were to be called Emancipation! Yet, in spite of the Duke, and in spite of Peel, the less accurate, but more popular, title has now also apparently become the classical; and we hear of Roman Catholic 'Emancipation' ten times for once that we hear of the Roman Catholic 'Relief Bill.'

The other incident arose over Sir Edward Knatchbull's criticisms of the proposal in the House of Commons. For once he had stung to the quick the non-emotional nature of Peel, and that gentleman lashed about him, in an uncommonly impassioned style, 'in action and in manner indicative of strong feeling.' He was 'bound to suppose that the Honourable Member for Kent was influenced by public motives alone!'¹ . . . But he would not condescend to look out for excuses for the line of conduct which he was determined to pursue. As a Member of that House, he felt himself as independent as the Honourable Baronet, and in every respect as consistent. He would tell the Honourable Baronet that he had for the full period of twenty years resolutely opposed every compromise with the Roman Catholics. He would tell him that it was with the utmost reluctance that he had at length consented to break in upon the Constitutional Settlement of 1688.² But he would also tell the Honourable Baronet that he was too true and consistent a friend of the Protestant interests, he was too sincerely attached to the Protestant Establishment, to push his resistance to the concession to that point which would endanger the very existence of the Institutions which he was anxious to defend. He thought that, so far from being inconsistent in this matter, he was the most consistent friend of the Protestant Institutions of the country, seeing that, *for the purpose of maintaining them in security*, he had submitted to undergo every species of personal imputation and reproach.'³

¹ Hansard's *P. D.* (second series), vol. xx. p. 275.

² *Ibid.* p. 276.

³ *Ibid.* p. 277.

This outburst amazed the House. Sir Edward regretted that he had induced so much warmth.' Mr. Duncombe 'refused to surrender their right to arraign the conduct of any Government or any Minister.'¹ But Peel retorted, 'that their right to attack implied his right to defend himself when assailed.' By this time, however, his wrath had begun to cool. He sank back, with a half-conscious feeling of shame at having shown so much of his heart to the common gaze, declaring, 'Once for all, he had now explained the course which he had taken, and would make no more reference to his personal share in the question. If he had been already betrayed into any warmth of temper, he had, unfortunately, been betrayed into a departure from the course which he had prescribed to himself on proposing measures of such paramount importance.'²

The whole incident is graphic and instructive to a high degree. No one need trouble himself to call in question Peel's sincerity. His stern honesty of purpose is transparent. He thoroughly believed that all this sacrifice he was so painfully making was necessary to save, and would to a certainty save, the Protestant Establishment in Ireland. But where is that Establishment to-day? *History has proved that, in this his main contention, Peel, however sincere, was terribly mistaken.* If that was, as he himself affirms, his *one*—almost his *only*—*motive* for this sacrifice of his life-long principles, then it falls to be recorded that his heart-breaking sacrifice was made in vain.

For the rest of the month of February both Houses were kept in a constant frenzy by the reading of countless petitions, and by the endless side-debates which arose thereon.³ Nothing else whatever could be attended to for days and days on end, except the hearing of petitions and the pressing through of the Suppression Bill. It was read a

¹ Hansard's *P. D.* (second series), vol. xx. p. 279.

² *Ibid.* p. 279.

³ *Ibid.* pp. 280-715.

second time on February 12th, and a third time on the 17th, in the House of Commons; and, on the 24th, it had gone through all its stages, and was finally 'passed' through the House of Lords.¹

Wellington showed himself strangely sensitive to the charge of 'Intimidation' for so brave a man! On February 16th, in connection with certain remarks bearing that way, 'he totally denied that their minds had been influenced at all by the fear of anything that could occur in this or in any other country!'² Referring again to the 'Suppression Bill,' the next day thereafter, the Duke protested,—'It had been said by a noble Lord that the manner in which Ministers had conducted themselves with reference to this question, was just as if they had said, 'Give us leave to knock you down, and we will afterwards give you all you demand!' and this he warmly denounced as 'a charge so unworthy and so unjust.'³ But unprejudiced readers will probably agree with us, that, as an epigram on the actual events, it was not less true than it was witty.

During these February days, one petition, from out the thousands presented, demands a passing glance. Peel, himself the Member for the University of Oxford, had it intrusted to him, and it brought about his 'resignation' of that honoured seat. It was from the 'Chancellor, Masters, and Scholars' of that ancient University, and was 'adverse to further concession to Roman Catholics, being couched in still stronger terms than on any former occasion.' It had been 'passed, after due notice, by a more numerous assembly than ever before convened in the University, and carried by a larger majority than on any former occasion,'⁴ namely, by 164 against 48.

These statements were made by Peel himself on 13th February, as he laid their petition on the table. On the 20th

¹ Hansard's *P. D.* (second series), vol. xx. p. 518.

² *Ibid.* p. 347.

³ *Ibid.* p. 382.

⁴ *Ibid.* pp. 329-337.

we find the Commons issuing a new 'Writ' for an election for the University of Oxford,—‘the Right Honourable Robert Peel having applied for the Chiltern Hundreds.’¹ And, on the 4th March, we see Sir Robert H. Inglis, as the new Member for the University of Oxford, on the floor of the House presenting and explaining petitions against the proposed measure. Peel also returned as the Member for Westbury,—free-handed, and no longer at war with his own constituents.²

The decks thus being cleared for the great fray, the Duke of Newcastle intimated, in the House of Lords, on March 2nd, that ‘he intended to move a “Call of the House,” whenever the day may be fixed for bringing in this bill, that every Peer may be a personal witness of the degradation to which it is intended to expose him ; and judge whether it be wise and fitting that he should tamely and blindly submit to be led by the inconsiderate or ambitious will of any Member of this House, who may seek to trifle with our Religion, to trample on our Liberties, and to overthrow our Protestant Constitution.’³

SECTION III

Preliminary Resolution—Great Debate

WE now pass to the House of Commons on Thursday, 5th March 1829, to witness the introduction of the famous ‘Resolution,’ preliminary to the bill for the removal of the Disabilities of Roman Catholics. The Chronicler tells us, and we thank him for all such living details to light up his dry-as-dust pages, ‘that at 10 a.m. persons began to assemble in the avenues to the House,—that the crowd grew to be

¹ Hansard's *P. D.* (second series), vol. xx. p. 437.

² *Ibid.* p. 704.

³ *Ibid.* p. 648.

immense,—that when, at a few minutes past 6 p.m. the the Gallery was opened, the rush was tremendous,—that in two minutes not a seat was left unoccupied,—and that far on through the night the doors and lobbies were still jammed with people, anxious to avail themselves of any resignation occasioned by heat, pressure, and fatigue.’¹

It will be necessary, in truth to history, and for the clear apprehension of all issues, to give a very full analysis of Peel’s great speech on this epochal occasion ; but thereafter, for all other speechifying in connection with this Bill, the briefest possible analysis must suffice.

Mr. Secretary Peel, having moved that the Clerk at the table read those portions of his ‘Majesty’s Gracious Speech’ relating to Ireland, and that having been done, began thus,—‘I rise, as Minister of the King, to vindicate the advice given to his Majesty by a united Cabinet. I rise, in a spirit of peace, to propose an adjustment of the Roman Catholic Question, which has so long and so painfully occupied the attention of Parliament, and which has distracted the Councils of the King for the last thirty years. I rise, in the spirit of one of those simple and beautiful prayers with which the proceedings of this House were on this day auspicated, in which we are enjoined to “lay aside all private interests, prejudices, and partial affections.”’²

He confessed himself ‘overwhelmed by the magnitude of the interests involved,’ and not unconscious that the difficulties with which the subject was surrounded were ‘increased by his own peculiar situation.’ But he was supported by the consciousness that he had done, and was doing, his duty in the words of his Oath, ‘according to my heart and conscience ;’ for he believed that the time had now come when less danger was to be apprehended to the general interests of the Empire, and to the spiritual and temporal welfare of the Protestant Establishment, in

¹ Hansard’s *P. D.* (second series), vol. xx. p. 727.

² *Ibid.* p. 728.

attempting to adjust the Catholic Question than allowing it to remain any longer in its present state.’¹

He then ‘undertook to endeavour to make out the case,’ which he was thus challenged to establish,—pleading that, in resigning his long struggle to exclude Roman Catholics from Parliament, and from the higher Offices of State, he was ‘yielding to a moral necessity which he could not control,—*unwilling to push resistance to a point which might endanger the very Establishments that he wished to defend.*’ And his object was to prove by argument that such a moral necessity did exist,—‘that there was more danger in continual resistance than in concession accompanied by measures of restriction and precaution.’²

His first contention is, ‘that there was an evil in divided Cabinets and distracted Councils which could no longer be tolerated.’ A United Government ‘must be formed, and must either grant further political privileges to the Roman Catholics, or must retract those already given.’ Answering the objection that these divisions had existed before, he asked,—‘Because conflicts between Lords and Commons can be tolerated for five years or ten, may they, therefore, be tolerated for ever?’³ and argued that now, as in 1825, ‘finding himself in a minority, he sought relief from Office, but had been constrained to his present course by the most urgent sense of public duty, despite all the most painful personal consequences—

‘Tis said with ease ; but oh, how hardly tried
By haughty souls to human honour tied—
Oh, sharp convulsive pangs of agonising pride !’⁴

He referred to his former proof as to the dreadful state of Ireland,—‘commotion in the public mind, feverish agitation and unnatural excitement, social intercourse poisoned in its very springs, corruption at the fountains of Justice, discord

¹ Hansard’s *P. D.* (second series), vol. xx. p. 729.

³ *Ibid.* p. 731.

² *Ibid.* p. 730.

⁴ *Ibid.* p. 732.

walking openly abroad, and physical force marshalled in defiance of all law; ' and maintained ' that the evil therein revealed is not casual or temporary, but permanent and inveterate, and that we cannot therefore determine to remain idle spectators.'¹

Wishing to 'take nothing for granted, but to found his argument on unquestionable facts,' Peel proceeded, in a long historical review of the last thirty years, to 'examine the state of his Majesty's Government, and to remark the bearing of the Catholic Question upon that—the divisions it has created amongst our Statesmen, the distraction it has created in our Councils, and the weakness it has consequently produced; and then, for the same period, to observe what has been the course of Parliament; and, lastly, what has been the consequence of those divisions in the Councils of the King, and of disunion between the two Houses of Parliament,—what have been the practical consequences as to Ireland?'² Reviewing the divisions in Cabinets from 1794 downwards, he contended that 'they had paralysed the vigour, and defeated the intention of the Executive Government;'³ and, similarly, from the votes of the Legislature, he concluded 'that each Party could so paralyse the other that nothing effectual could be done either by Coercion or by Relief.'⁴ He held that, even according to the Elections of 1825, the people themselves had paralysed the power of resistance—'taking the 15 largest counties and the 20 most popular towns, 17 of the 32 County Members vote for concession, while of the Town Members 25 or 26 are for it and only 18 against.'⁵ Nay, further, in 'the very debates in that House' for the last ten years, the 'rising talent' was almost unanimously on the side of concession, with constant 'defections' from the one side, and not a single 'convert' from the other!⁶ Regarding the effect of all these things

¹ Hansard's *P. D.* (second series), vol. xx. p. 733.

² *Ibid.* p. 733.

³ *Ibid.* p. 735.

⁴ *Ibid.* p. 736.

⁵ *Ibid.* p. 739.

⁶ *Ibid.* p. 740.

on Ireland, Peel affirmed that there was 'no prospect of the restoration of peace to Ireland, and of authority and vigour to its Government, unless our own differences can by some means or other be reconciled.'¹

The true commendation of his measure Peel apprehended to be this,—'that it was scarcely possible to change for the worse;' for 'the melancholy fact was that for scarcely one year since the Union had Ireland been governed by the ordinary course of law.'² And he maintained that he had proved his first point,—'that the system of neutral Governments and of open Questions must be abandoned; and that there is no safety, excepting the united Councils and joint responsibility of the King's Government.'

Launching, then, upon his second contention, Peel asked,—'Can a Government be formed, capable of conducting with vigour and success the general Administration of this country, upon the principle of permanent and decisive opposition to further concession?'³ And, in answering himself, continued,—'Suppose the Government formed, and to come at once to the point, what is to be done with the Catholic Association? "Suppress it," is the ready answer. But by what means? The deliberate and unanimous opinion of the Law Officers is,—that the existing state of the law provides no effectual means of suppression.' Tracing the history of the Catholic Representative from 1793, and of the attempts to suppress it under its multifarious shapes from then till now, Peel drew this inference,—'this and this alone, *that there exists a spirit too subtle for compression*, a bond of union which Penal Statutes cannot dissolve;'⁴—touching, for once, the very heart and kernel of Ireland's history, but shrinking back when you expected him to utter the word,—*that spirit is Popery, that bond of union is hatred of everything Protestant.*

¹ Hansard's *P. D.* (second series), vol. xx. p. 741.

² *Ibid.* p. 743.

³ *Ibid.* p. 742.

⁴ *Ibid.* p. 744.

Glancing again at the veritable heart of the problem, Peel exclaimed, in answer to those who would give 'no new power' to the Roman Catholics,—'but what will you do with that power, that tremendous power, which the Elective Franchise, exercised under the control of Religion, at this moment confers upon them? "Take it away"—is again the ready answer. But is that possible? Will this House of Commons, in which 272 Members voted last year for the extension of further privileges, retract those which have been already granted, upon the invitation of a Government pledged against concession at any time, or under any circumstances?'¹

The only other alternative is, 'the Dissolution of Parliament and an appeal to the Electorate;' but his deliberate opinion was that no majority that might thereby be procured from Great Britain would counteract the evil of confirming the Spiritual influence in political matters of the Roman Catholic Priesthood, of binding together, in the dangerous, but not illegal, exercise of a great political right, the combined and desperate efforts of Roman Catholic wealth, intelligence, numbers, and religion.'²

Dealing with the Census of Population in 1821, 'as bearing on any attempt to withdraw from Roman Catholics the privileges already granted,'—7 millions in all, and in 3 of the provinces the Roman Catholics being in a majority of 6 to 1, —Peel asked, 'How was the Civil and Criminal process of the law to be equally and regularly conducted throughout Ireland?'³ and replied,—'In many districts, at least, there would be no alternative, but reliance upon the Army and the Police.'⁴ History has sorrowfully to confess that, *even after the granting of all, and more than all, that Peel thought lawful or rational*, the Army and the Police have still had to play a phenomenal part in the administration of Irish affairs,

¹ Hansard's *P. D.* (second series), vol. xx. p. 745.

³ *Ibid.* p. 748.

² *Ibid.* p. 746.

⁴ *Ibid.* p. 749.

—demonstrating yet once more the presence of another and more subtle spirit than he sought to exorcise, which nullifies all other remedies.

He dwelt, with significant emphasis, on the facts,—that the Elective Franchise of 1793, ‘hastily granting political power to the multitude and the physical strength of the country’ was rushed through under the impulse of the French Revolution,—and, further, that the Union, ‘as a preliminary to the settlement of Roman Catholic Claims, was carried by Pitt under the impulse of the horrors of the Irish Rebellion of 1798, fellow-subjects embruining their hands in each other’s blood.’¹ And he closed the argument in support of his second contention by reminding them that, ‘in the last debate in their own House, 61 Irish Members voted for concession, and only 33 against; whilst the recent declaration of the Great Protestant Meeting at the Rotunda, imploring the Legislature to adjust this long-agitated question, was signed, amongst hundreds of others, by two Dukes, seven Marquesses, and twenty-seven Earls, all possessed of property in Ireland, or locally interested in the welfare of that country.’ From all which his conclusion was ‘that no Government, pledged against further concession and prepared to retract some of the Franchises already granted, could contend against the resistance of a united body of Roman Catholics,—that resistance encouraged and supported by the powerful alliance of Protestant influence.’²

Having established his main contentions, Peel then proceeded to explain ‘the one only alternative, the adjustment of the Catholic Question on the principle recommended in the Speech from the Throne.’³ He ‘totally denied that his measures had any bearing on Religion, or on the Coronation Oath—they were exclusively measures of State Policy, and implied no sanction, disclaimed all encouragement, of any

¹ Hansard’s *P. D.* (second series), vol. xx. p. 750.

² *Ibid.* p. 751.

³ *Ibid.* p. 752.

Religious doctrines from which our own Established Church revolts.¹ They rest upon the broad principle—that there is less of danger, under the present state of affairs, to the Spiritual and Temporal interests of that Church, in removing than in continuing these Disabilities.’

The measures, ‘agreed upon by the King’s Government, after mature deliberation, before the session opened,’ were ‘founded on two great principles—(1) The abolition of Civil Disabilities on account of the Religious Creed of the Roman Catholics; and (2) The maintenance, intact and inviolate, of the integrity of the Protestant Church, its worship, its discipline, and its government.’²

Peel then unfolded the details of the bills,—placing Roman Catholics in each of the three kingdoms ‘on exactly the same footing as to Civil privileges,’ thereby ‘doing violence to the Treaty of Union with Scotland, in which Papists are excluded expressly by name alike from electing and being elected,’—and, further, granting them ‘the right of holding property on the same terms and conditions upon which all other subjects hold it.’³

As to Political privileges, he rightly affirmed ‘that the whole question turned upon admission to Parliament, without which every other concession would be useless, perhaps injurious;’⁴ and argued ‘that no intermediate position was defensible on principle, between the maintenance of the present Civil Disabilities in Ireland, and their complete removal.’

He then expounded the new form of Oath, ‘which it was proposed to administer to the Roman Catholic as a test of his Civil worth, in the place of these Oaths and Declarations by which he was at present excluded,’—involving the repeal of the ‘Declaration against Transubstantiation,’ but the retention of the ‘Oath of Supremacy,’⁵ incorporating the substance

¹ Hansard’s *P. D.* (second series), vol. xx. p. 753.

³ *Ibid.* p. 756.

⁴ *Ibid.* p. 757.

² *Ibid.* p. 756.

⁵ *Ibid.* p. 759.

of the Oaths of 'Allegiance,' and 'Abjuration,' with a 'disavowal of all belief in the temporal or civil jurisdiction within this realm of any Foreign authority.'¹

Passing to the further subject, the admission of Roman Catholics to 'all Corporate and Municipal offices,' and to all positions connected with the 'administration of Civil and Criminal justice,' Peel contended 'that their eligibility for Civil office becomes a security for the Protestant Establishments,'²—though rational History has great difficulty in understanding how he reasoned himself into such a conviction; that is, always providing that you regard the Roman Catholic as honest and sincere, and acting according to the ordinary principles of human nature!

Coming to discuss the 'Exceptions,' he held that it was 'quite consistent with the principle of the bill to exclude Roman Catholics from a certain limited number of offices, which have special and peculiar duties attached to them, connected with the patronage of the Church, or with Education, or with the administration of Ecclesiastical law.'³ The bill would, therefore, 'exclude them from the office of Regent, from exercising in any circumstances the delegated authority of the Crown, from the office of Lord Chancellor in England and Ireland respectively, and from the office of Lord Lieutenant in Ireland.' Further the Roman Catholic would be 'disabled, under severe penalties, from advising the Crown, directly or indirectly, in respect to the grants of Church preferments, and generally from the exercise of any influence derived from Civil office over Ecclesiastical appointments;,' and 'provision would be made for intrusting exclusively to Protestant authorities the right of Church patronage belonging to any Civil office that may hereafter be held by a Roman Catholic.'⁴

As to the 'Securities and restrictions, fitting to accompany

¹ Hansard's *P. D.* (second series), vol. xx. p. 760.

² *Ibid.* p. 761.

³ *Ibid.* p. 762.

⁴ *Ibid.* p. 763.

such a measure,' Peel, complaining that 'the Landlord had been disarmed by the Priest,' insisted that the 'true remedy' was to displace the forty-shilling Freehold voter by a *bonâ-fide* ten-pound Freeholder, in all counties, not in corporate towns, and thereby secure in Ireland 'an independent instead of a dependent constituency,—one not under the control of either the Landlord or the Priest.' This bill 'would extend to all, and would admit of no distinction betwixt the Roman Catholic and the Protestant voter.'¹

With reference to 'Ecclesiastical Securities,' Peel, while reminding the House of Pitt and Castlereagh's approval of a 'qualified and subordinate Establishment with a stipend for the Roman Catholic Priesthood from the public purse,' saw 'formidable objections to such an arrangement,' as necessarily implying 'other measures of regulation and control requiring the preliminary consent of the Papal See,' which he regarded as an 'insuperable difficulty.' But, as if to show the fluid state into which his mind was drifting, he added, 'for the present at least'! So that all his brave talk about 'no negotiations with the Court of Rome, or any Foreign Power with respect to domestic legislation,' sounds very hollow and inane when you take the pith out of everything by this opportunist rider, 'for the present at least.'² He emphatically disclaimed for the State all connection with the Roman Catholic Church:—'We leave it on the footing of Dissent; we have no "veto" to propose; no "control" over the appointment of their Bishops, and no responsibility; no more to do with the spiritual affairs of the Roman Catholic Church than of the Wesleyan Methodists!'³ If and when danger actually did arise from 'intercourse' with the See of Rome, 'we shall be enabled to take and to demand any securities that may be necessary, and to regulate or interdict or inspect,—legislating for Roman Catholics as for all his Majesty's subjects.'⁴

¹ Hansard's *P. D.* (second series), vol. xx. p. 764.

² *Ibid.* p. 772.

³ *Ibid.* p. 774.

⁴ *Ibid.* p. 775.

Peel explained, however, that provision was taken in the bill against Roman Catholics in corporate or other offices 'taking or exhibiting, under any circumstances whatever, their insignia or robes, in any other place of worship than one belonging to the Established Protestant Church;' as also against the practice, 'calculated to cause great and just offence,' of Roman Catholic Prelates claiming and assuming the names and titles and dignities belonging to the Established Church.¹

Further, as to certain 'Societies and Communities, bound by monastic vows, particularly the Order of the Jesuits,' provision was taken in the bill for the 'registration' of those already in the country, and against the future 'extension' of their numbers; and very specially 'against the entrance amongst us of the Jesuits,—a class of men against whom other countries have set their face, and who are under the control of Foreign Superiors resident at the Court of Rome.'²

In conclusion, and defending the course he was now determined to follow, Peel declared that he was '*mainly influenced by an anxious desire to provide for the maintenance of Protestant Interests and for the security of the Protestant Establishments.*'³ It is for impartial History, weighing the evolution of events that have been, and others that are looming in the near horizon, to judge and say, whether Peel was legislating under a wise or an unwise estimate of the forces then and still at work, whether he was consolidating or undermining the Protestant Establishments of his country. To all appearance, men will not have very long to wait before the final verdict is pronounced; for this epoch of our historical existence is swiftly exhausting its force, and will soon be swallowed up in new and other epochs.

Catching a glimpse of the possibilities of evil issues,

¹ Hansard's *P. D.* (second series), vol. xx. p. 776.

² *Ibid.* p. 777.

³ *Ibid.* p. 779.

despite his eager hopes, and kindling into unwonted rhetoric, as he was about to resume his seat, the great and greatly perplexed statesman cried :—‘ But if these expectations are to be disappointed, if there be something inherent in the spirit of the Roman Catholic Religion which disdains *Equality*, and will be satisfied with nothing but *Ascendency*, still I am content to run the hazard of this change. The contest, if inevitable, will be fought for other objects and with other arms ; the struggle will not be for the abolition of Civil Distinctions, but for the predominance of an Intolerant Religion. . . . The rallying cry of “ Civil and Religious Liberty ” will be all our own. We shall enter the field with a full assurance of victory ; armed with the consciousness of having done justice, and of being in the right ; backed by the unanimous feeling of England, by the firm union of Orthodoxy and Dissent, by the applauding voice of Scotland ; and, if other aid be requisite, cheered by the sympathies of every Free State in either hemisphere, and by the wishes and prayers of every freeman, in whatever clime, or under whatever government his lot may be cast ! ’¹

One feels the tingle of sincerity in every clause of this piece of transcendent oratory ; but if ever this struggle comes, as seems in the nature of the case to be inevitable, and if we succeed, as in the days of the Stuarts, in winning back our Protestant Supremacy, it may be at the cost of much blood and vast treasure, the Jury of Posterity will have its own sentence to pronounce upon the statesmen who, under whatever hallucination about the union of hearts and the like, went directly in the teeth of all past experience, and admitted an avowed enemy to Protestant Civil and Religious Liberty into the very heart of the citadel. Explanations of such conduct, there may be many, some worthy, others unworthy ; but defence, apology, ultimately there can

¹ Hansard's *P. D.* (second series), vol. xx. p. 780.

be none,—in result, if not in intent, it is treason to the country; and the man who commits it, though his motives may be these of an angel, yet his action is that of a traitor. Let History decide!

Peel's speech lasted for 'more than four hours;' and his motion was for a 'Committee of the whole House to consider all the laws imposing disabilities on his Majesty's Roman Catholic Subjects.' Every word had been listened to 'with strained and almost painful attention.' The cheers were so loud at the close 'that they were heard through Westminster Hall, and all the passages leading to the lobbies of the House.'¹

Mr. Henry Banks, Member for Dorsetshire, a man of supreme conscientiousness, made an attempt to speak, but it was almost in vain; for, says the chronicler, 'disorder prevailed, Members were hurrying out, and the House showed restless impatience.' He remarked 'that the Right Honourable gentleman pressed strongly as a preliminary "that things could not remain in their present situation," and asked "what answer could be given?" His reply was,—Abundance of answers in the discussions of the last fifteen years! He was contented to draw upon no other source than the Right Honourable gentleman's own speeches,—putting it beyond doubt again and again that the peace of the country might be preserved and the Protestant Establishment maintained, without this innovation of the Constitution.' All the arguments he himself had that day urged 'had been repeatedly pressed against him by Canning and others, and he had himself resisted them with great ability and success.' But the truest thing Mr. Banks uttered was the exclamation 'that this was a day of triumph for the Catholic Association!'² About that fact, doubt was simply impossible, however Peel and Wellington might protest.

Mr. Augustus J. O'Neill, Member for Kingston-upon-

¹ Hansard's *P. D.* (second series), vol. xx. p. 780.

² *Ibid.* p. 780.

Hull, complained 'that their silence had been construed as indifference,' and retorted 'that they had but deferred to the talent and eloquence of their champion.' He argued that the country was not being 'fairly represented,' and challenged the Ministry to 'risk a dissolution.'¹

Mr. William H. Trant, Member for Dover, 'held a late famous speech of the Right Honourable Secretary in his hand, and had it almost off by heart,' in which he was 'so screwed, so nailed down to the Anti-Catholic cause, *that he defied him to make any reply to himself*.'² Forecasting, perhaps unconsciously, perhaps with fine sagacity, many things that are still in process of evolution, Mr. Trant exclaimed,—'that if Roman Catholics must be represented, if they must be admitted into Parliament, he would say—Let them have a Parliament of their own in Ireland; for he would much rather consent to that, even if it went to the Dissolution of the Union.'³ What if both issues were in the germ of this Relief Bill, all unsuspected by its opportunist authors? Are we to see evolved from it, in the near future, *a Parliament in Ireland* practically Roman Catholic, and, in the not distant future, *separation from Great Britain*, as its ultimate goal?

These men, however, could get little or no attention, till Sir Robert H. Inglis, Member for Oxford University, a foeman worthy of his steel, entered the lists and grappled with Peel's arguments. He maintained that 'nothing but overwhelming necessity could have justified the Government in their extraordinary change of policy;' and proceeded to criticise the reasons formulated by Peel as 'grounded upon the state of Ireland, the state of the Cabinet, and the state of Parliament.'⁴

His first contention, as against Peel, was 'not only that "the state of Ireland" does not present to us any new features;

¹ Hansard's *P. D.* (second series), vol. xx. p. 782.

² *Ibid.* p. 788.

³ *Ibid.* p. 788.

⁴ *Ibid.* p. 789.

but that that state has not been occasioned by the Penal Laws against Roman Catholics, and cannot therefore be amended by the repeal of those laws.' He proved from 'earliest native chronicles,' that the picture of Ireland has always been one of 'uniform social misery and political dissension,' before the Union, even before the coming of Englishmen on the scene at all. And when asked, What remedy? he would answer, (1) 'that firmness would have prevented some of these evils, and would even now prevent their exasperation;' and (2) 'that, be these remedies what they may, they ought not to be sought by breaking in upon the Constitution of 1688.'¹

As to the evils of Ireland being greater than they have before ever been, 'What is the proof?' asked Sir Robert; and answered, 'The only proof brought forward by his Majesty's Government amounts to this,—that A cannot get his potatoes dug, and that B cannot get his peats stacked. Such are the evils, on account of which the Protestant Constitution is to be changed.'

Dealing with the argument from 'divided Cabinets,' he very pertinently inquired why Peel, 'with his strong opinions and unchanged principles, did not try to bring his colleagues over to his side, rather than yield to them?' He 'needed not to have struck his colours.' The triumph of the cause was ensured, 'had he continued still to be their leader.' And to this hour impartial History cannot but echo the censure implied in the following challenge:—'At any rate, if this work were inevitable, why not leave it to other hands, to men who believed in it, and whose conscience went with it? *Why become traitor to yourself, to your true and higher self, for any reason under Heaven?*'

Passing, then, to the question of 'divided Parliaments,' and the 'continued collision' between the Houses, Sir Robert contended that the conclusion drawn by Peel from his

¹ Hansard's *P. D.* (second series), vol. xx. p. 790.

² *Ibid.* p. 791.

premisses was 'erroneous' and unwarranted:—'In 1813 the majority was 129 ; in 1828 it had decreased to 6 ;' and he did not doubt 'that an appeal to the people would have secured such a return to this House as would have given confidence to the most timid Minister.'¹

But the real argument, practically the only argument, at the bottom of all the Peel-Wellington Policy was simply and avowedly the dread of 'Civil War ;' and by the threat of some such catastrophe as the only alternative, they won votes in the House, and secured the somewhat sullen acquiescence of the country. Sir Robert vigorously handled this plea:—'Sir, I deny the alternative. The utmost which I will admit is this, that you have the choice between the chance of an *Insurrection to-day*, and the higher, far higher chance, almost certainty, of *Civil War to-morrow*. At the utmost, you only postpone the evil. And it is for the House, and the Right Honourable gentleman, to consider under what different circumstances the attack would be resisted now than it will be hereafter, when you have armed the Roman Catholics, and alienated and abandoned the Protestants.'²

Censuring the Ministry for declining to place this great Constitutional Question by *Referendum* in the hands of the constituency of the Nation, Sir Robert 'would not accuse them indeed of having preferred their places to their principles;' but he did and would 'accuse them of having yielded needlessly and fatally to intimidation;' and of having grossly miscalculated their own strength and the spirit with which the people would have supported them in defence of the sacred cause committed to their trust.'³

He brushed aside also the popular cry about showing 'gratitude to Roman Catholics for their Military services,' contending 'that they were not thereby proved better fitted

¹ Hansard's *P. D.* (second series), vol. xx. p. 791.

² *Ibid.* p. 791.

³ *Ibid.* p. 792.

to legislate for other interests to which they are necessarily hostile, or to be intrusted with the concerns of our Protestant country.¹ . . . Milk, the most nutritious of substances, received as food, is fatal poison if infused into the blood-vessels of the constitution ; so the entrance of the Roman Catholic into our Protestant Legislature is the commencement of a system, which will terminate in realising all those evils, which the Right Honourable Secretary himself has so often foretold as the consequences of concession. The danger may not be to-day or to-morrow ; but a very few years will see the destruction, or at least the irreparable injury of the Church in Ireland, if not of our own still nearer interests here.²

When Sir Robert H. Inglis thus closed his remarkable speech, the 'Constitution of 1688' had been in full force for above one hundred and forty years, with the result of raising the United Kingdom to what it then was amid the nations of the earth. The new system, the 'Constitution of 1829,' has not run half that course, as we pen these pages, but already it has brought about the complete overthrow of the Protestant 'Establishment' in Ireland. The next sixty years will probably suffice to prove its effects also on our 'nearer interests too,' the Protestant Institutions and Establishments of Great Britain. And the future historian will be able to demonstrate whether Peel or Inglis saw the more deeply into the nature of events, or the more wisely interpreted the application and the issues of abiding principles. Our task here is fulfilled in faithfully portraying the teachings of both, and the guidance which they gave in a great national crisis to the men of their day.

Sir George Murray, Member for Perthshire, declared himself 'incapable of discovering anything which should for ever preclude Ireland'³ from possessing the tranquillity and

¹ Hansard's *P. D.* (second series), vol. xx. p. 793.

² *Ibid.* p. 793.

³ *Ibid.* p. 796.

civilisation of England and of Scotland ; and maintained that the only thing required was the 'encouragement of a public system of Policy and of a Liberal Government.' Alas, for Sir George's prophetic venture, despite his experience of the 'Military command in Ireland' ! All, and more than all he dreamed of, has been done for Ireland, year after year since the day he prophesied ; but Roman Catholic Ireland at least protests that no blessing has accompanied or flowed from the 'new system of Policy.' Again and again, as interpreters of history, we must ask—What if after all there be some poison in Ireland, which these merely political and opportunist doctors refuse to acknowledge or to diagnose, but which after all alone accounts for the abiding maladies of the Nation, namely, *the poison of Popery acting upon a peculiarly susceptible and impressionable race* ? This at least was the diagnosis of not unwise men in ancient times. Maybe, our history will soon reveal the final answer, when there is nothing more to concede except absolute Supremacy to the Sovereign Pontiff ; and when it is at last discovered and confessed, that no other concession, nor all other concessions short of that, can or will bring 'tranquillity' to the Roman Catholics of Ireland.

A few other speakers struggled to gain attention in an excited and exhausted House, but very much in vain. Loud cries of 'Adjourn ! adjourn !' were again and again drowned in cries of 'Go on ! go on !' Confusion had begun to reign, but finally the debate 'stood adjourned till to-morrow.'¹

Friday, 6th March, was ushered in by rather lively scenes. It was announced first of all by Lord W. Russell, Member for Tavistock, 'that the Committee have determined that Daniel O'Connell, Esquire, is duly elected a Knight of the Shire to serve in the present Parliament for the County of Clare.'² So that the House is to have at least one Roman Catholic on its hands, come what may ! Then

¹ Hansard's *P. D.* (second series), vol. xx. p. 802.

² *Ibid.* p. 804.

came the shoal of petitions 'for' and 'against,' amongst which may be noted one from Glasgow, signed by upwards of 30,000 persons, 'against' concession,¹ which was immediately capped by another from the same city 'for' concession, presented by Brougham who fierily declared:—'The police did not give due protection to those wishing to sign it (there were only 4200 names) or to the premises where it was exhibited, the mob shouting "Burke and Hare!" This miscreant Burke, who had received the reward of his atrocities, professed the Roman Catholic Religion, and that circumstance had been used for inciting the passions of the people with no small success.'²

In resuming the debate, Mr. Charles Grant, Member for Inverness-shire, maintained 'that the Catholic Association' was in truth the people of Ireland; and that no coercion could be successfully exercised over a whole people who had resolved not to obey.'³ Mr. Henry Villiers Stuart, Member for county Waterford, 'offered his warmest approbation of the great measure itself;' but, referring to the accompanying bill disfranchising the forty-shilling Freeholders, 'he entered his strong protest;' adding, however, that 'he would not endanger the greater measure by factious opposition to this other which had little or no concern with it.'⁴

Mr. Henry Brougham, Member for Winchelsea, mounting his rhetorical horse, 'expressed his entire and unqualified approbation. The measure went the full and entire length that any reasonable man ever did or ever could demand. It was a proclamation, through the King's dominions, that religious discord should be no more!'⁵ Gently, gently, my prancer! You have forgotten, not only to get a brief from the followers of a foreign Pope instructing you to say so, but are you not ignoring the passions of jealousy and ambition soon to be let loose?

¹ Hansard's *P. D.* (second series), vol. xx. p. 813.

³ *Ibid.* p. 819.

⁴ *Ibid.* p. 828.

² *Ibid.* p. 814.

⁵ *Ibid.* p. 834.

Mr. C. J. Fynes Clinton, Member for Aldborough, agreed 'that the manner in which these measures had been brought forward was an encouragement to the Catholics to attempt further struggles for the attainment of ulterior objects ;'¹ for, as he pointed out unanswerably, 'the proposed restrictions and exceptions in the bill constituted admissions of the existence of ulterior designs,—that the Catholics had still an object behind, which they wished to obtain, and which they inevitably would obtain if Parliament gave them sufficient power. These exceptions and restrictions showed that Parliament did not even yet consider them worthy to be trusted.'² . . . *We were breaking up the Constitution only to secure a short and precarious truce.'*³ It seems incredible to the historian of a later day that this could be doubted or disputed. But it was not only disputed, it was vehemently denied, and by none more fervently than by representative Roman Catholics themselves! 'Ulterior designs' were then abjured and abhorred. Now they glory in exactly these same 'ulterior designs,' and inscribe them in flaming capitals on all their banners in Britain—'The Crown to be open to a Roman Catholic, and the Kingdom to be reconciled to the Pope!'

Yet Mr. John H. North, Member for Milborne Port, arguing 'that for the Roman Catholic agitator there was but one remedy, one complete and sufficient remedy, equal laws and equal privileges for the Roman Catholics with the rest of his Majesty's subjects,'⁴ brushed aside the complaint of lack of warning, the charge of a surprise on the part of the Government, by the cheery retort 'that, in view of all these years, this recalled to him the well-known story of Mrs. Thrale about the Three Warnings!'⁵ Old Dobson protested "that death had no business with him, for he had not received the Three Warnings that had been promised,"—

¹ Hansard's *P. D.* (second series), vol. xx. p. 836.

² *Ibid.* p. 840.

⁴ *Ibid.* p. 846.

² *Ibid.* p. 839.

⁵ *Ibid.* p. 849.

quite forgetting that at very moment he was without the use of his limbs, he had lost his sight, and was as deaf as a post !'

Like all the other political prophets of that day, Mr. North too tried his hand at forecasting the results of this great measure, and wound up a transcendent peroration with this prediction¹—'It will still the voice of faction ! It will extinguish the seeds of rebellion !' As matter of fact, not a decade since has passed by without the cries of faction and of rebellion in Roman Catholic Ireland ; and at the hour of writing this, statesmen are again eagerly proclaiming the necessity of fresh and vast concessions to prevent rebellion and to extinguish faction. But the most of statesmen still blindly refuse to see the one lesson of all our history, and to admit that the root of all these demands is a something which their tinkering can never satisfy, the hunger for Priestly Supremacy.

The Marquis of Blandford, Member for Woodstock, said that 'language failed him to find expressions of condemnation for the folly, which had engendered such a state of things, as left that House nothing but the miserable alternative of choosing between the evils of Rebellion and Civil War on the one hand, or on the other bowing with abject submission to the threats and demands of Jesuits and Jacobins !'²

Colonel Charles Sibthorpe, Member for Lincoln, 'would take every opportunity of entering his solemn protest against the measure, which was about to be forced upon the country much after the fashion in which the empiric's ball was forced down a horse's throat !'³

The Right Honourable William Huskisson, Member for Liverpool, in answer to the Honourable Member for Aldborough, 'that no special securities had been provided for the Established Church in Ireland,' asked in glowing periods,

¹ Hansard's *P. H.* (second series), vol. xx. p. 850.

² *Ibid.* p. 855.

³ *Ibid.* p. 861.

'Had the Established Church no security in the Constitution of this Empire? Had it no security in the two Acts of Union? Had it no security in the House of Lords, in the House of Commons, in the Throne itself? Had it no security in the public feeling and affections of the country, and in the great body of the property and intelligence of the Empire which was firmly attached to it? These were the securities and safeguards of the Established Church; and, if more were called for, he for one would say that it was amply provided for already.'¹ It is almost amusing, if it were not tragic rather, to read these questions, realising how every one of them would be cheered affirmatively by the vast majority of the legislators. Alas, with how little wisdom are we governed! History has already given a black negative to every question of the four, once hurled as posers at an overwhelmed minority.

Mr. Charles H. Batley, Member for Beverley, tried to speak amidst loud cries of 'Question!' and 'Adjourn!' His reference to a 'Protestant King surrounded by a Roman Catholic Cabinet' was received with 'loud laughter.' Venturing upon something about 'the adamantine pillars of the Constitution,' the laughter became 'vociferous,' and poor Mr. Batley sank back into silence.²

Mr. Jonathan Peel, Member for Norwich, stood up amidst bursts of 'Question! Question!' 'Peel! Peel!' 'Adjourn! Adjourn!' but on the plea of 'not being often guilty,' he was allowed to proceed.³ His proposition was 'that an appeal should be made to the country, which would supply not only power to support the Administration, but talents to conduct it. The worst of all legislation was that which submitted the law to a power which was hostile to the law. He would never consent to pay such a price for the tranquillity and allegiance of Roman Catholics!'⁴

¹ Hansard's *P. D.* (second series), vol. xx. p. 866.

³ *Ibid.* p. 870.

² *Ibid.* p. 870.

⁴ *Ibid.* p. 874.

Sir Francis Burdett, pointing to this opposition to each other of 'members of the same family' as a 'sample of what existed in Ireland' itself, had the temerity to answer the charge about that country being priest-ridden by affirming that, 'so far from the Irish Catholics being priest-ridden, they ruled their Priests;' but the House could not stomach that, and shouted, 'No! no!' vociferously; adding—when he went on to say that 'for a long time past the Priests had not been able to direct the people as formerly'—a feeble but sceptical 'Oh! oh!'¹

Sir Francis, however, had not sounded the depth of innocent simplicity on this subject till he announced, amidst the mockery of all sane listeners, as showing how little he really understood the Clerical spirits with whom he was dallying,—'the idea of subverting the Established Church was so injurious to the persons to whom it was attached, an idea that none of them had ever dreamed of, that it was creating feelings in their minds, which they had never thought of, to suggest such a possibility!'² Colossal Simplicity! One would like to have seen the look and heard the deep chuckle of Dr. Doyle, when he read illusions like these poured from the brain of so able and so good a man. He had but to sit still. Protestants of this type were effectively playing his game.

The Honourable W. Duncombe, Member for Yorkshire, ventured on a remark which lashed the House into fury. He was 'in the country when the Speech from the Throne arrived; and it would be vain for him to endeavour to express the surprise, the consternation, and he might say the indignation, with which it was received.' But the 'impatience of the House' at this was so great that he could be no further heard; they judging the word 'indignation' as directed against his Majesty.³ The noise and uproar which

¹ Hansard's *P. D.* (second series), vol. xx. p. 875.

² *Ibid.* p. 876.

³ *Ibid.* p. 878.

now prevailed 'exceeded all description.' Cries of 'Divide! divide!' 'Adjourn! adjourn!' 'Go on! go on!' were 'vociferated from all quarters.' Peel rose and said that he was 'anxious that every gentleman should have an opportunity to express himself, but could see no purpose in adjourning, and would resist any attempt to create delay. The conflicting cries were, nevertheless, 'renewed and kept up for several minutes.'¹

Mr. George Moore, Member for Dublin, 'arguing that the measure was a simple and unqualified breaking up of the Constitution,' *adroitly and unanswerably pointed to the issues thus*:—'After admitting Roman Catholics into the Legislature, the Ministry might at some future time tell Parliament that in 1829 the Protestant principle of the Constitution was destroyed, and therefore the Crown need no longer be worn by a Protestant.'² To this there was then no answer, and there has been none since. It awaits the due opportunity; and any day the Roman Catholic advocate may drive home the logical wedge; and on what ground will those who justify past concessions refuse this final surrender?

Sir C. M. Burrell, Member for New Shoreham, amidst loud cries of 'Question! question!' was understood to be 'opposed to the measure,' by some kind of dumb show or other. Viscount Corry, the Member for county Fermanagh, who, in seconding the 'Address,' in reply, 'reserved his right to oppose any measure unaccompanied by sufficient safeguards,' had the courage now to protest that this bill 'had dissipated his most sanguine hopes! *There was no attempt at security*, except it be found in the change from forty-shilling Freeholders to ten-pound voters, or in the exclusion from the offices of Lord-Lieutenant and the two Lord Chancellors.'³ It is a measure of unqualified and uncon-

¹ Hansard's *P. D.* (second series), vol. xx. p. 879.

² *Ibid.* p. 880.

³ *Ibid.* p. 882.

ditional Emancipation. To such a measure I never can consent.'

Mr. Cresset Pelham, Member for Shropshire, inaudible amidst cries of 'Question!' suggested as an 'amendment,'—'That this House expressed the firm opinion, that the repealing of the Act of the 30th year of Charles II., and the Act of King William, would endanger the just privileges of the King and the fundamental rights of the People.'¹ But everything was now drowned in the cries of 'Question!' again vociferously renewed.

At length, therefore, Mr. Secretary Peel rose to close the debate. He declined his privilege of reply 'as to anything having a personal reference—the other interests involved were so important and so complicated.'² *As to Securities*, 'the Protestant petitions from Ireland contained three,—(1) Put down the Catholic Association; (2) Correct the evils of the Elective Franchise; and (3) Abolish the Order of Jesuits;' and he contended that the measures now before the House provided for each and all of these.³ What says history? That the Roman Catholic claims have never ceased to be pressed, under whatever Association or name; that the Elective Franchise has never ceased to be a tool in the hands of Priests of Rome; and that the Order of the Jesuits flourishes since 1829 as it had never done before in Britain and Ireland since Reformation days. These are the responses of irrefragable fact to the speculative motives which led Peel and Wellington to make inroads upon our Protestant Constitution. At every point their avowed aims have been completely baffled and non-plussed, and the end is not yet.

Forecasting the consequences, 'if they declared that all further concession must be resisted,' Peel still unveiled his whole mind as under constraint through terror, and willing

¹ Hansard's *P. D.* (second series), vol. xx, p. 883.

² *Ibid.* p. 884.

³ *Ibid.* p. 889.

to sacrifice everything to that,—‘There must be, under such circumstances, a most violent reaction, which would compel them gradually to this alternative, viz., instead of resting Civil and Social Government on its base, to reverse it and rest it on its apex;’ for, continued he, repeating *ad nauseam* the one argument which, in his view, had swallowed up every other,—‘It was less dangerous to incorporate Catholics with the State than to continue their exclusion therefrom.’¹ He was ‘completely satisfied that no other course than that which he had proposed could be adopted.’² And so, after thirty years of debate, of sometimes lofty and learned reasoning, about ‘Emancipation,’ the Roman Catholic Relief Bill was actually carried by *the one argument*, at last unblushingly avowed, which ever heretofore the leaders of the Nation had scorned to be influenced by, viz., the argument of physical force, the threat of Civil War. It is vain to obscure the issue of all these talks and debates; it came simply and exclusively to this, that Protestant Britain had better surrender everything asked, and bear the consequences, rather than risk another struggle with the Papists of Ireland. And it requires only a tiro in historical study to see that this argument is one which may be repeated again and again, till every concession to Papal Claims has been granted, and there remains nothing further on that side for which to struggle.

What if, then, the Civil War threat comes from the other side; from Protestants who, in their school of discipline and oppression, have learned the lesson which their fathers taught them, and which should never have been forgotten,—that it is wiser and nobler to face even Civil War, with all its nameless horrors, than to wear the chains of slavish and degrading Popery? For that, despite all Statecraft and Priestcraft, is the inevitable issue to which, sooner or later, the principles let loose in 1829 will force this country, who-

¹ Hansard's *P. D.* (second series), vol. xx. p. 891.

² *Ibid.* p. 892.

ever may live to see it. Peel, in a dim, half-groping way, felt and saw all this, nay, frankly admitted it, but excused himself by the thought that 'when the struggle did come'—strange paradox—Britain could face the conflict more triumphantly if Roman Catholics had their place in the Citadel, than if they were still outside the walls! And he swayed the House to the same opinion by his transcendent personal influence.

When the vote was taken on this Preliminary Resolution, there was a majority of 188 in favour of his plans.¹ The ayes numbered 348, and the noes only 160.

The House, therefore, immediately went into Committee, and Peel moved,—'That it is expedient to provide for the Repeal of the Laws which impose Civil Disabilities on the Roman Catholic subjects of his Majesty, with such exceptions, and under such regulations, as may be required for the full and permanent security of the Establishments in Church and State; for the maintenance of the Reformed Religion established by law; and of the Rights and Privileges of the Bishops and of the Clergy of this realm, and of the Churches committed to their charge.' This further Resolution was instantly agreed to, and ordered to be 'reported' on Monday. And thereon the House rose at three o'clock on the morning of Saturday.²

When Monday arrived, Petitions in both Houses, 'for' and 'against' were the order of the day; endless little debates, and side controversies, arising over the presenting of these. Earl Grey, in the Lords, presented a remarkable one—'from 327 of the 480 Serjeants and Barristers practising at the English Bar in London'³—in favour of concession. In the Commons, the Sheriffs of London presented another—'from the Corporation,' signed by 2 to 1, also in favour of the Bill;⁴ and they intimated that the Court of Common

¹ Hansard's *P. D.* (second series), vol. xx. p. 892.

³ *Ibid.* p. 896.

² *Ibid.* p. 892.

⁴ *Ibid.* p. 898.

Council had voted, 'almost unanimously,' to Mr. Secretary Peel 'the freedom of the City of London, because of the great services he was at present rendering to the country, and because they observed a strong disposition, in certain quarters, to impugn his motives.'¹ On the other side, Sir Robert H. Inglis and others presented many and numerous signed Petitions 'against' the proposed measures.

At length, however, the 'Resolution' of the Committee of the whole House was 'reported' in due form, and at once agreed to,—Peel thereon receiving the authority of the House 'to bring in a Bill in conformity therewith,' as also a 'Bill for the Regulation of the Elective Franchise in Ireland.'² Next day, being Tuesday, 10th March 1829, these Bills were formally brought in and 'read a first time.' So here, and now, we must pause to get a clear and full idea of the former of these, which mainly concerns us in this History.

SECTION IV

Relief Bill Analysed and Introduced

ITS title was,—'A Bill for the Relief of his Majesty's Roman Catholic Subjects,'³—carefully evading the use of the term 'Emancipation,' and emphasising that it was simply Relief from certain Civil Disabilities; carefully shunning also the popular term 'Catholic,' and using the only legal and Parliamentary name—'Roman Catholic.'

The Preamble having set forth, under the technical 'Whereas,' 'the Restrictions and Disabilities' imposed by Acts of Parliament on Roman Catholics, the expediency of 'discontinuing' these, and, further, that certain Oaths and Declarations were required as 'qualifications' for certain Civil Rights,—the vital Enactment⁴ followed 'that, from and after the commencement of this Act, all such parts of the said Acts

¹ Hansard's *P. D.* (second series), vol. xx. p. 900.

³ *Ibid.* p. 942.

² *Ibid.* p. 925.

⁴ *Ibid.* p. 943.

as require said Declarations . . . as a qualification for sitting and voting in Parliament, or for the exercise or enjoyment of any Office, Franchise, or Civil Right, be, and the same are, save as hereinafter provided and excepted, hereby repealed.'

Then came the corollary,—'That it shall and may be lawful for any person professing the Roman Catholic Religion . . . to sit and vote in either House of Parliament, being in all other respects duly qualified, upon taking and subscribing the following Oath,' instead of the aforesaid Oaths and Declarations. The Oath need not be requoted here again in full. It repeats, in the traditional terms, the promise 'to be faithful, and to bear true allegiance to his Majesty,' to 'defend' him, and to 'disclose' treasonous and traitorous conspiracies; to maintain 'the Succession of the Crown' to the Princess Sophia and 'the heirs of her body being Protestants,' abjuring 'any allegiance or obedience' to any other claimant;¹—Further, it contains a declaration against the opinion that excommunicated Princes may be 'murdered or deposed' by their subjects, and against the belief that the Pope has any 'Temporal or Civil Jurisdiction' whatever within this realm;—Further, having taken the swearer bound to 'defend the Settlement of Property within this realm as established by the laws,' it continues, in these terms, which had better be quoted in full:—'And I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the Protestant Church Establishment, as settled by law within this realm; and I do solemnly swear that I will never exercise any privilege, to which I am or may become entitled, to disturb or weaken the Protestant Religion, or Protestant Government in this kingdom; and I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this Oath, without any evasion, equivocation, or mental reservation whatsoever.'²

¹ Hansard's *P. D.* (second series), vol. xx. p. 944.

² *Ibid.* p. 944.

After the prescribing of this Oath, the bill made it lawful for Roman Catholics 'to vote at elections of Members to serve in Parliament, or to be elected such Members,'—being 'in all other respects duly qualified, and having taken the said Oath, or such other Oath or Oaths, as may by law be duly tendered.'¹

Under another 'Whereas,' having repealed the declaration or formula, in an 'Act of the Scottish Parliament,' for preventing the Growth of Popery, the bill proceeds to throw open to Roman Catholics 'all Civil and Military Offices, and places of trust and profit,' and the exercise of 'any other Franchise or Civil Right, except as hereinafter excepted.'

The 'Exceptions' are, the office of Regent, the office of Lord Chancellor either in England or in Ireland, and the office of Lord-Lieutenant of Ireland,—and, very specifically, any office, or place of trust and power, carrying with it the right to any Ecclesiastical privilege 'connected with the United Church of England and Ireland, or the Church of Scotland.'² Elaborate provision was made that 'if any Office, in the gift or appointment of his Majesty, came to be held by a Roman Catholic,' the patronage pertaining to that Office was to be transferred to, and exercised by, a 'Commission' of Protestants; and the breach of this was to be treated as 'high misdemeanour,' and to incur 'disablement for ever from holding office under the Crown.'³

The chief remaining Enactments and Provisoes circle around the taking of the Oaths on election or appointment to Corporation Offices,' or 'Places of Trust' under his Majesty; as also such matters as the 'titles and dignities' of the Anglican Clergy, and the encroachments of the 'Jesuits' and so-called 'Religious Communities.'

The Preamble here sets forth, in detail, that the Protestant Churches are 'established permanently and inviolably;'⁴

¹ Hansard's *P. D.* (second series), vol. xx. p. 945.

² *Ibid.* p. 946.

³ *Ibid.* p. 947.

⁴ *Ibid.* p. 949.

and the bill enacts 'a forfeiture of £100 for every offence' against any person using 'the same style or title,' other than the persons 'thereunto authorised by law,' as Archbishops, Bishops, and Deans.

In a similar spirit, persons 'holding any Judicial, Civil, or Corporate Office,' are prohibited, under forfeiture of office and a penalty of £100, from appearing in their robes, or with their insignia, 'in any place of worship' other than that of the Established Churches; and, on the other hand, Romish Ecclesiastics, or members of any of their Orders, are prohibited from 'wearing the habits of their Order, or exercising the ceremonies of their Religion,' save within their own places of Worship, or in private houses, under a forfeiture of £50 for every offence.¹

The Bill thereafter deals with Jesuits and other Monastic Orders, with great detail and painful precision,—for Peel prided himself on these rigorous precautions, all of which have proved to be a dead letter, like the preceding provisoes against wearing certain Ecclesiastical Titles! This section still shows us what our forefathers feared, and also teaches us how utterly illusive all safeguards may be rendered, partly by Papal skill and partly by Protestant supineness,—the one being unscrupulosity cultivated as a fine art, the other, indifference deepening into a deadly crime.

The Preamble to this part sets forth the expediency of making provision for 'the gradual suppression and final prohibition' of the Jesuits and other Roman Catholic Orders now resident within the United Kingdom; and the bill enacts (1) that every Jesuit, or member of any other Religious Order of the Church of Rome, at the commencement of this Act resident within the kingdom, shall 'deliver to the Clerk of the Peace a registration schedule,' the form of which is prescribed, 'within six calendar months,' under penalty of £50 for every month during which he shall remain here

¹ Hansard's *P. D.* (second series), vol. xx. p. 950.

unregistered ; and (2) that if any such person shall, after the commencement of this Act, come into the realm, he shall be 'guilty of a misdemeanour,' and, 'being lawfully convicted,' shall be 'banished from the United Kingdom for the term of his natural life ;' and (3) that if any such person shall, after the commencement of this Act, 'admit' any new member, or 'aid or consent thereto,' he shall be 'guilty of a misdemeanour, as also the person so admitted,' and 'banished' for life, under risk, if he disobey, of being 'transported' to such place as shall be appointed by his Majesty.¹ All these stringencies wound up, however, with *the somewhat illogical proviso*,—'that nothing herein contained shall be construed to extend to affect any Religious Order consisting of females bound by Religious or Monastic Vows'—but the Act itself indicates no reason for this curious paradox.²

Eliminating wearisome technicalities, the reader has now practically the Relief Bill of 1829 under his eye, barring such small modifications as it underwent in passing into law, which were in no case of any vital consequence. Perhaps the conclusion most inevitably forced upon us is—*that five-sixths of all its provisions are dead and gone*, already swept aside as antiquarian lumber, and never at any time proving to be of the smallest practical use or value ; though, without these precious precautions, Peel himself again and again declared, even to weariness, that 'nothing on earth' would have constrained him to concede the Roman Catholic Claims. The things granted to Roman Catholics by the bill have been grasped and utilised to the full. The things 'provided against,' and guarded at a thousand points, have, with a few impracticable exceptions, been boldly usurped and tacitly allowed. But how? We shall let the following History tell.

The Relief Bill was brought in and read *pro forma* on 10th March ; and the motion for the second reading is to be taken that day week, Tuesday 17th. At the same time was

¹ Hansard's *P. D.* (second series), vol. xx. p. 951.

² *Ibid.* p. 952.

laid on the table the concomitant measure, called 'the Irish Electors' Qualification Bill'—to 'amend certain Acts of Parliament, and to regulate the qualifications of persons entitled to vote ;'¹ but this latter scarcely, if at all, concerns us here, except that from time to time we may note its progress as 'the price' exacted by Peel and Wellington from the Emancipationists for the passing of the Relief Bill.

The week that intervened was extraordinary for the number of petitions and of side-debates which seemed to occupy both Houses night and day. No mere statement here can give any impression of the incessant showers of the one, and the frequent hail-storms of the other,—the constituencies pelting the Members, and the Members pelting each other, without a moment to breathe ! The remainder of the sitting on the 10th was thus voluminously occupied ; one petition, and remarks thereon by Mr. Charles Brownlow of county Armagh, drawing from Peel the significant protest,²—'that the effect of the proposal to raise the Elective Franchise would be to raise up a class of independent Yeomanry, the want most severely felt in Ireland, a body of respectable and independent voters ; and that this bill ought not to be considered as the purchase price of the Catholic Relief Bill, and, above all, ought not to be considered as a Penal Law, inflicted on the forty-shilling Freeholders for the decisive part which they had taken at the late elections ;'³—from all which we can read, as it were between the lines, what were the charges that were being hurled against the Ministry.

On a petition being presented from Derby, Lord George A. H. Cavendish complained of the 'True Blue Club' having 'inflamed the public mind by placards ;' and the Right Honourable J. Abercromby declared that one of these proclaimed 'that the Catholics in the Spanish Armada brought with them thumb-screws, bilboes, and other instruments of

¹ Hansard's *P. D.* (second series), vol. xx. pp. 952-963.

² *Ibid.* p. 978.

³ *Ibid.* p. 980

torture for the Protestants.' But Sir John Brydges stated 'his firm belief that many of these inflammatory and violent placards were put forward'¹ by the Roman Catholics and their supporters to raise a prejudice against the other side.

The Marquis of Lansdowne, in the House of Lords, on March 13th, called special attention to a petition which he presented from the Roman Catholics of Ireland, 'now in a state of perfect tranquillity and obedience to the laws,' announcing that the Roman Catholic Association, 'in anticipation of the wishes of Parliament, stood dissolved!'²

The same day, after countless petitions had been read, and, according to a vicious custom then prevailing, discussed *pro and con.*, with insinuations against the petitioners or their tactics, and defences from the other side,—the Earl of Eldon managed to interject quite a lively little debate on the subject of the taking of certain Oaths by Roman Catholics. He 'moved for an account of the Roman Catholics in England who have taken the Oaths under the Act of 1791, and in Ireland who have taken the Oaths under the Act of 1793,—each since the year 1815.'³ These Acts were 'intended to relieve certain persons from penalties to which they were liable under former Acts; and they were effectually relieved, if they took the prescribed Oaths, but not otherwise.'⁴ Lord Chancellor Lyndhurst 'complained of the insinuation that Roman Catholics were unwilling to take the Oath to support the Protestant Succession,' and reviewed the history of the Oaths, and of the proposed changes in them, from 1791 to 1825.⁵ Lord Redesdale, on the other hand, strongly contended 'that the Oath of 1791,' framed to satisfy the Roman Catholics of England, was 'refused' by the Roman Catholics of Ireland, expressly on the ground 'that they could not support the Succession in a family the members of which were of a Religion in which they themselves did not believe.'⁶

¹ Hansard's *P. D.* (second series), vol. xx. pp. 989-991.

² *Ibid.* p. 1007.

³ *Ibid.* p. 1020. ⁴ *Ibid.* p. 1022. ⁵ *Ibid.* p. 1026.

⁶ *Ibid.* p. 1028.

Lord Plunkett professed to explain this away by 'a few simple facts.' The Act of 1778, 18th year of George III., cap. 6, 'adopted the exact phraseology' of the Irish Act of 1774, and was 'brought in by devoted Protestants, Sir George Savile and Mr. Dunning, and afterwards adopted by the Irish Parliament;' but because the words 'being Protestants' were omitted, the noble and learned Lord assumed that there was 'a Catholic Conspiracy!'¹ Remarking in passing, on the Act of 1782, Lord Plunkett came to that of 1793, 'into which, by the advice of Mr. Secretary Hobart, was introduced a Declaration by the Catholics themselves, disavowing odious and revolting doctrines attributed to them; and that gave shape to the Oath of 1793.' And, regarding that Oath, he declared,—'Being considered by Roman Catholics a degradation in itself, it would not, in any instance, be taken by them, except for the purpose of obtaining some office, or getting rid of some penalty; as, for instance, the Priests, to escape *Praemunire*; but it would be found that, in every instance, the Oath had been taken.'² He accordingly moved, as a counter-amendment, 'for a return of the number of Protestants who had taken the Oaths of Allegiance, Abjuration, and Supremacy,'—to show that such Oaths were only taken when necessary as 'qualifications for office.'³

Lord Eldon at once seconded, all he contended for being 'that the Oaths had not been taken, and were not therefore *per se* the securities they were intended to be.' But the Duke of Wellington hinted 'that the result could only be to show that a large number of estimable persons' had not performed a statutory duty; the consequence of which would be an 'Act of Indemnity' on their behalf.⁴ At length both motion and amendment were withdrawn; but they are reproduced here to illustrate the highly-inflammatory condition of the usually too impassive House of Lords.

¹ Hansard's *P. D.* (second series), vol. xx. p. 1036.

² *Ibid.* pp. 1037-1039.

³ *Ibid.* p. 1040.

⁴ *Ibid.* p. 1042.

All the remainder of that same Friday, and all the following Monday, petitions 'for' and 'against,' with endless and irritating small debates on many of them, occupied nearly the whole time, and exhausted the whole temper, of both Houses. Occasionally there was a gleam of humour, consciously or otherwise. General Peachy, for instance, replying about the violent language on placards, said he would read one circulated in Taunton: 'It ran thus,— "None are against Catholic Emancipation but interested Parsons and Bigots;" this was the way he would use this contemptible stuff':—So saying, he tore it in pieces, and strewed the fragments on the floor, amidst 'universal laughter!'¹

Again, Mr. John Wells, Member for Maidstone,² declared 'that it was unbecoming, in the learned Solicitor-General for Ireland, to taunt the Honourable Member for Dublin, on a preceding evening, with his repeated appeals to the principles of the Revolution of 1688. For his own part, he should like to have a starling taught to repeat the words "Constitution of 1688" for the edification of some gentlemen in that House; and it might be as well also if the bird repeated its lesson at Windsor Castle!'³ Whereat, if George IV. had any sense of humour left, he may have enjoyed one genial moment.

Tuesday was ushered in by shoals of petitions, alike in the Lords and in the Commons. Amidst unnumbered others may be noted one presented in the Lower House by Mr. George Moore, Member for Dublin,—'The Petition of 147,000 Irish Protestants, representing 'the resident Peerage, the Magistracy, the Gentry, the Yeomanry, and the honest and independent Protestant population,' and declaring 'their calm, deliberate, and conscientious opinion, that the evils of Ireland would not be removed, and that the dangers which threaten it would not be averted, by yielding to the demands of the Roman Catholics.'⁴

¹ Hansard's *P. D.* (second series), vol. xx. 1085.

² *Ibid.* p. 1086.

³ *Ibid.* p. 1087.

⁴ *Ibid.* p. 1109.

Amongst the many petitions, intrusted to Sir Robert H. Inglis, may be singled out one from the 'Presbytery of Linlithgow,' because of the prophecy which it contained, and which history has verified, as founded upon sagacious interpretation of principles,—*'That the first inroad upon the Constitution would be by means of an attack upon the Established Church of Ireland.'*¹

. But Lord John Russell set himself to give an account of a 'meeting lately held in Edinburgh, at which nearly every person in Scotland, distinguished for intellectual acquirements, wealth, rank, and respectability, was favourable to the removal of Catholic Disabilities.'² He likewise called attention very specially to the speech there delivered by Dr. Chalmers, as excellent a specimen of wisdom and eloquence as he had ever read,—stating 'that there were a great number of contents and non-contents on this question;' but adding his decided conviction 'that the great body of the people were perfectly quiescent with regard to it, and did not apprehend any danger to our existing institutions from the measures now in progress.'

SECTION V

Second Reading Debate in the Commons

THE way having been thus cleared, amidst storm and sunshine in alternate bursts, Mr. Secretary Peel, on Tuesday, 17th March 1829, 'moved the order of the day' for the Second Reading of the Roman Catholic Relief Bill.³ Most of the speaking reveals a wearisome and fruitless repetition of the arguments for and against concession, as presented in the former pages by such intellectual athletes as Peel and Inglis. Only here and there an original idea flashes up, or

¹ Hansard's *P. D.* (second series), vol. xx. p. 1112.

² *Ibid.* p. 1113.

³ *Ibid.* p. 1115.

an altogether fresh thinker comes upon the scene. With such we may linger for a little ; the others we must pass by in silence, or with only an occasional glance.

Sir Edward Knatchbull, Member for Kent, contended, in answer to Peel,—(1) ‘That Ireland was no more disturbed now than it had been at any former period ;’¹ (2) ‘That the decision last year against him in the House of Commons was not so decidedly against him as that of some former years ;’² and (3) ‘That the evils of a divided Cabinet, like the former reasons, had neither force nor novelty ;’ for, ‘till this change of front, it was less, much less, divided than former Cabinets.’³ Sir Edward still believed what the Right Honourable Secretary, so late as 1828, himself avowed,—‘That of these two Religions, the Protestant and the Roman Catholic, the one or the other must have the Ascendency—*they cannot coexist on an equal footing!*’⁴

The Chancellor of the Exchequer, the Right Honourable Henry Goulburn, ‘entirely concurred that the Catholic or the Protestant Religion must have the Ascendency ;’ and this was the justification of his vote,—‘He would unhesitatingly assert that the measure, which had been recommended from the Throne to Parliament, had mainly for its object to make the Protestant Religion the Ascendant in Ireland.’⁵ Whereon history calmly retorts,—If so, its main object has been absolutely and utterly lost ; the bill and its sacrifices have all been in vain !

Mr. George Bankes, Member for Corfe Castle, and faithful henchman of Peel in other days,⁶ hurled back Peel’s own argument ‘that other remedies would all be only temporary, with a resistless logic since verified by every page of history,—‘That this present measure was itself only temporary. There would still be grievances to

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1119.

² *Ibid.* p. 1120.

³ *Ibid.* p. 1121.

⁴ *Ibid.* p. 1124.

⁵ *Ibid.* p. 1132.

⁶ *Ibid.* p. 1137.

complain of, above all if grievances were identified with Ascendency.’¹

After many others, who added nothing of vital interest, there arose the Member for Newark, Mr. Michael T. Sadler, to address the House ‘for the first time,’² and in one of the most brilliant speeches ever delivered within its walls. The House was electrified, and we must try to reproduce the scene, as the one characteristic of this day’s debate,—referring readers to our *Supplementary Volume* for a fuller outline than can be given here.

His opening words rang clear and high,—‘I add my humble vote to the faithful band who submit to be branded as the lessening class of Intolerants and Bigots, from which the Ministers have just happily escaped!’ Lashing in among the parrot cries about the condition of Ireland, he exclaimed,—‘Sir, the mischief regarding Ireland is this. Ireland, as respects its connection with England, was a conquered country. That was her misfortune. But it has been our crime, that she has continued to be treated as such! Her lands have been wrested from the inhabitants and given away from time to time to strangers, on condition that they should reside in the country, and plant and support the Protestant Religion; but they have deserted both. They are *Absentees* who, owning much of the surface of Ireland, cruelly desert the people by whom they live, and persecute and oppress them by proxy; but who, many of them, think to make atonement for their turpitude by a few cheap votes and declarations, sincere or otherwise, in favour of Catholic Emancipation.’³

In answer to the challenge,—‘What are you to do with Ireland?’ echoed by every supporter of the Ministry, Sadler frankly replied,—‘Legislate on her behalf in the spirit of philosophy; take with you the lights of wisdom and

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1139.

² *Ibid.* p. 1150.

³ *Ibid.* p. 1152.

experience : develop her immense internal resources, hitherto unexplored and almost untouched ; introduce on behalf of her distressed people a moderated system of Poor Laws ; diffuse, in spite of Priestly domination, the benefits of Christian tuition ; employ the starving People, who are and must be fed, but whose labours you now lose, and whose characters you destroy, by consigning them to involuntary idleness and mendicancy ; and, finally, while you legislate about and against the Poor, dare to touch the culpable and heartless Rich,—the deserters and the enemies of their country,—and, if they are dead to other and worthier motives, compel them by pecuniary mulcts to repay some of their debts to that society to which they owe their all.’¹

Persisting in his inquiry as to the effects of this measure, not only in Ireland, ‘where the sacrifice of Protestantism would be a curse and not a remedy,’ but on the Empire at large, Sadler argued thus,—‘All the Rights our Constitution creates are conditional. If these imply Disabilities and Exclusions, . . . they are such as are imposed for the general good, and have hitherto promoted and secured it.’² . . . It has not only constituted Christianity part and parcel of the law of the land ; but it has constituted its pure and reformed profession an essential ingredient in the established Government. And as long as I am permitted to think that principles are the springs of practice, that Christianity is better than Infidelity, that its purest and most liberal form is better than its most corrupt, so long—in spite of the Liberalism of the day, which is only another term for that spirit which strikes at the root of Christianity, ay, and in a neighbouring country soon hewed down the tree—I shall presume to think that our Constitution has done so wisely ! I am aware, sir, of the hackneyed assertion, first put forth by Mr. Paine, “that we have nothing to do with Religion as a matter between a man and his God,” and I subscribe to

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1153.

² *Ibid.* p. 1154.

that; but that we have nothing to do with Religion as between man and man I utterly deny.’¹

Coming at length to deal with the argument about ‘Securities,’ Sadler tore it to shreds in this vigorous and unanswerable manner:—‘The “place of the King,” as a learned Lord expresses it, must, it appears, still remain “Protestant.” But some bigoted devotee of Rome may conquer his way to the Royal presence, be his Prime Minister, and become what has been called “Viceroy over him.” In truth, sir, this last “reservation” heightens the objection I have to this measure into abhorrence and disgust. What, after having established by a solemn Act this doctrine,—that conscience ought to be left free and unfettered, that disabilities of the nature sought to be removed inflict a disgrace upon the feelings of those whom they affect, which is intolerable to good and generous minds, worse than persecution, nay, than death itself,—how do you apply it? Why, sir, you propose to sear this brand high upon the forehead, deep into the heart of your Prince! And to render the sear more visible, the insult more poignant, you make him the solitary individual whose hereditary rank must be so held and transmitted. *Freedom of conscience to all Subjects, but none to your King!*² . . . I protest, sir, against this change. Instead of resting the title of our Sovereign upon the universal spirit of the Constitution, and folding his Royal robe round the Throne and the Altar, you propose to hang it on the peg of a solitary legal exception or two, insulting in themselves and dangerous in their consequences.’³

After brilliantly showing that ‘contradiction itself was allowed to cumulate a demonstration in this most extraordinary argument,’⁴ Sadler wound up this section of his speech, exclaiming:—‘One party assures us that the admis-

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1155.

² *Ibid.* p. 1157.

³ *Ibid.* p. 1160.

⁴ *Ibid.* p. 1161.

sion of Popery into the citadel of the Constitution will strengthen the Established Church; another, and it is far stronger than it chooses to avow itself at present, hopes that such admission will lead to that union with other bodies unfriendly to the Protestant Establishment which will effect its final downfall; and these arguments, instead of neutralising each other, are all held to be irrefragable!¹ . . . I see, indeed, that an Oath is to be administered which verbally forbids Roman Catholics who take it from overturning the Establishment. But they must be more or less than men to be enabled to keep such an Oath!² Totally inefficient as a security, it is immoral in its nature. It establishes a war between words and principles, between oaths and conscience, and which will finally prevail, needs no explanation.'

Dealing with the 'time' of this concession, and the 'manner' in which it would be received as 'an extorted right, conceded as a choice of evils, and estimated accordingly,' he continued, —'It will, I know, be accepted; but it will derive its chief value from being *the certain means of forcing fresh concessions*, all of which might now be named, and none of which will long be withheld, notwithstanding the new pledges of those who have so nobly redeemed their old ones!'³

Hurling back the argument about divided Cabinets, Sadler scornfully asked—'Who were they that caused division in a preceding Cabinet, less than two short years ago, rather than serve under that highly-gifted Minister now no more, because he was favourable to the very measure now so indecently forced upon the country,' and 'heartily repented of his own share in the too successful attempt of hunting down so noble a victim?'⁴ . . . But peace to Canning's memory! He fell, but his character is rescued. It rises and triumphs over that of his surviving—what shall I call them? Let their own consciences supply the hiatus!'⁵

¹ Hansard's *P. D.* (second series), vol. xx. p. 1161.

³ *Ibid.* p. 1164.

⁴ *Ibid.* p. 1165.

² *Ibid.* p. 1163.

⁵ *Ibid.* p. 1166.

He denounced these 'simultaneous conversions' as really 'disgusting,' as arguing 'not a change of principle, but a total want of principle,' and painted 'the leaders of this wheeling phalanx as honourable men—"So are they all, all honourable men!"'¹

And then, contrasting the action inside that House with the genuine feeling of the country outside, and indicating the right of the people, even in their honest prejudices and in their poverty, 'adding their affecting suffrage to the cause of Religion and of God'—for this Religion was their all—he cried,—'To their representatives the People committed their dearest birthright, the Protestant Constitution! They have not deserted it, whoever may. If it must perish, I call God to witness that the People are guiltless! If it is to expire . . . let it here, while it receives blow after blow from those who have hitherto been its associates and supporters, fold itself up in its mantle, and, hiding its sorrow and disgrace, fall when it feels the last vital stab at its heart from the hand of one whom it had armed in its defence and advanced to its highest honours!'² Peel never had to bear anything so deadly and keen as this, in all the onslaughts of that time! One would like to know how he looked and felt, and whether the iron nerve was seen to wince; but the chronicler saith not.

So Michael T. Sadler wound up this most brilliant speech of all those burning times with argument and peroration worthy of all that had gone before, denying the 'competency' of that House to proceed in such a work without directly 'consulting the People;' admitting the legal fiction that Parliament is Omnipotent, yet contending that it is after all a fiction,—'for where is the man that dares assert that Parliament has the right or power, for instance, to suspend or abolish the Representative System?'³ Referring to the fact

¹ Hansard's *P. D.* (second series), vol. xx. p. 1167.

² *Ibid.* pp. 1168, 1169.

³ *Ibid.* p. 1170.

that we take no oath not to do so, while we do take oath 'not to allow Popery an entrance into the Legislature,' he continued, 'My Oath——' But here there was 'laughter;' and Sadler turned hotly round and exclaimed, 'I hear a laugh! That laughter, at the very mention of an oath, is a just interpretation of the value of the security which the advocates of this measure now propose. My Oath, too plain to be misinterpreted, too lately taken to be forgotten, permits not the assumption of a right of throwing open the doors of this House to the admission of Popery. Sir, we have no lawful power for doing this. The people of England sent us not hither for any such purpose. Nay, they interdicted us by solemn Oaths and Declarations from daring to attempt such a course.'¹

When this extraordinary and fresh oration ended, the House broke into such 'commotion' that for several minutes nothing could be heard. Sir George Warrender, Member for Westbury, was supposed to be 'supporting the motion,' but scarcely a word reached the Reporters' Gallery. Mr. John Fane, Member for Oxfordshire, was 'understood to be arguing that the country had been taken by surprise,' but no one could hear him. Mr. Bankes 'moved the adjournment.' Peel agreed, 'on condition that the debate be resumed at six o'clock,' pointing out suggestively 'that four and a-half hours that evening had been consumed in presenting petitions.'² Bankes agreed to the hour suggested, and the debate stood adjourned.

After the presentation of many petitions 'for' and 'against,' the discussion was resumed on Wednesday 18th March, by Mr. Henry Bankes, Member for Dorsetshire, who had the right to say, with reference to the Ministerial complaint of being 'deserted' in former debates:—'I am not one of those who can be charged with having deserted them, however I might now have a right to accuse them of having

¹ Hansard's *P. D.* (second series), vol. xx. pp. 1170-71.

² *Ibid.* pp. 1172-74.

deserted me.'¹ Quoting the words of Peel against Canning in 1827, 'that the natural and inevitable consequences of this measure were, to bring the Catholic and the Protestant Churches into collision, finally to the destruction of the latter; and that the confusion and disorder which would prevail for ages whilst the struggle was going on, would be a greater evil than the event itself;'²—Mr. Bankes continued:—'With every word of this I agree, except one. I do not believe that the contest would be a very protracted one. If Catholics, Dissenters, and all the foes of the Established Church were in combination and marshalled against the Protestant Establishment in Ireland, for how many "ages" would the contest last? *In my opinion, it would only be the struggle of a single Parliament.*'³ A future page of this History will show that, amongst all attempts to forecast the political future, this, for perfect accuracy, bears away the palm.

Mr. Wilmot Horton, Member for Newcastle in Staffordshire, proposed to prevent all these dangers by 'prohibiting Roman Catholics from voting on any measure affecting the interests of the Protestant Establishment.' He had the authority of Lord Kenmure of the Catholic Association in Ireland for saying that such a prohibition 'would exact no sacrifice from Roman Catholics, but would afford them relief from a most disagreeable and irksome duty.'⁴ And, in his pathetic simplicity, he quoted the authority of Mr. Blount, the Secretary of the British Catholic Association, who, while assenting to the prohibition, declared that there was 'no need' for it whatever, 'for if only the inequalities of law were removed, the Protestant Church would still continue safe.'⁵ Yet, with a beautiful forgetfulness of his own bantam, Mr. Horton 'rejoiced that the measure brought forward was altogether unattended by any securities!'⁶ Such are the irrationalities by which Nations are ruled!

¹ Hansard's *P. D.* (second series), vol. xx. p. 1179.

² *Ibid.* p. 1183.

³ *Ibid.* p. 1186.

⁴ *Ibid.* p. 1191.

⁵ *Ibid.* p. 1192.

⁶ *Ibid.* p. 1199.

Sir Henry Parnell, Member for Queen's County, proved his lack of political sagacity by 'denying that fifty Roman Catholics would ever be sent up to that House ;' and also by the following forecast, showing how utterly astray were the men of that time, alike in their hopes and fears :—' Instead of this bill enabling the Roman Catholic Clergy to aggrandise the Catholic Religion, and raise it to Ascendency on the ruins of the Protestant Church, he believed, *he knew from the Catholic Clergy themselves*, that, after this bill was passed, they would find much greater difficulty to maintain the Catholic Religion to the extent in which it now existed in that country.'¹ And, of course, this was received with 'great applause.' The wish was father to the thought. But the prophecy was marred by one fatal flaw. Like all other mere politicians, calculating that the Priests would be content with full and equal *toleration*, he was leaving out the main factor, namely, the inherent and ineradicable claim for *supremacy* and passion for Priestly domination inseparable from the very nature of Popery.

Lord Tullamore, Member for Carlow, spoke with freshness of logic and with keen invective :—'I feel bitterly at the remembrance of the deceptive practices followed by his Majesty's Ministers, and especially by the Right Honourable Secretary. He made a triumphant progress through the Northern parts of the country, and heard speeches delivered in support of Protestant principles, and gave no hint of his intentions. The motto from a Roman Catholic poet will serve for his mode of progress :—

" Drunk at the borough,
Civil at the ball,
Friendly at Lancashire,
And faithless at Whitehall."

Had he told us that his opinions had changed, that would be fair and intelligible ; but he tells us that his opinions remain unchanged, and that he now sees all the dangers attending

¹ Hansard's *P. D.* (second series), vol. xx. p. 1202.

those concessions that he ever saw.'¹ Lord Tullamore recalled, under a doleful sense of the ultimate evils that would flow from the measure, the warning words of the great Lord Burleigh, '*that England could only be ruined by her own Parliament.*'²

Mr. W. H. Trant, Member for Dover, pertinently put the issues thus :—'If they could not, and durst not resist present demands, he for one was prepared to hear ulterior demands, and would they be resisted? The Catholics never would rest satisfied with anything short of absolute Ascendency, and a King of their own upon the throne.'³ The very century in which these words were uttered, and mocked at by an overwise House of Commons, has heard more than one Romish Ecclesiastic, of Cardinal and other rank, postulate in set terms this very claim, nothing less and nothing else, as the measure of their 'liberty'!

Viscount Palmerston, Member for Cambridge University, entered the lists with the characteristic declaration, 'that he would not dive into the depths of historical research, or the mazes of theological disquisition,' but would 'rest his opinion upon the present state of Ireland.'⁴ He called upon them to repair to the South of Ireland, 'mix with the Catholic gentry; converse with the Catholic peasantry; witness the open and undisguised discontent of the former; probe to the bottom the more concealed but not less deeply rankling passions of the latter; and see what a fierce and unsocial spirit bad laws engender!'⁵ Once more the prophet, *seeing only the political surface of things*, egregiously errs. Half a century of the good laws which Palmerston desired, and far more than he or his contemporaries dreamed of, this same South of Ireland has abundantly enjoyed; but to-day that 'fierce and unsocial spirit' against everything British is raging there worse than ever. The poison lies in something else than the laws. Statesmen have failed to diagnose this subtle disease.

¹ Hansard's *P. D.* (second series), vol. xx. p. 1206.

² *Ibid.* p. 1210.

³ *Ibid.* p. 1225.

⁴ *Ibid.* p. 1238.

⁵ *Ibid.* p. 1248.

This History should help the physicians who follow after, and who are not too wise to be taught by the God of History.

Then Sir Charles Wetherell, till now Attorney-General, told the House of the 'pain with which he learned, only seven days before the meeting of Parliament, that the question usually called 'Catholic Emancipation' was to be the subject of a recommendation to Parliament by his Majesty's Ministers.'¹ He complained that, 'without notice, the Protestant party in England, and the Protestant party in that House, had been abandoned and deserted by their leader!'² He rather scornfully explained that, when called upon to frame the bill, he exclaimed:—'What! the King's Attorney-General prepare a bill which the Lord Chancellor (Lyndhurst) had declared would subvert the Protestant Church of England, which his Majesty is bound by his Coronation Oath to defend!'³

Arguing at length against the provisions of the measure before the House, Sir Charles exclaimed:—'The bill destroyed itself. It admitted the danger, and yet it provided no security for Protestantism. He would not be made such a dirty tool as to draw that bill!'⁴

Then rose Mr. Secretary Peel, Member for Westbury, to close the Second Reading Debate. His supporters 'cheered so loudly, and even the Opposition too, that for some moments he could not proceed.' He tartly complained 'that three-fourths of the speeches delivered partook much more of rancorous personal hostility than of ardent attachment to the Protestant Constitution.'⁵ Launching into the argument, he said that 'they might talk ten nights in succession; they might blink the real question as much as possible, but still that question would recur—*What was to be done with Ireland?*—not merely for the Catholic population, but what for the Protestant

¹ Hansard's *P. D.* (second series), vol. xx. p. 1255.

² *Ibid.* p. 1256.

³ *Ibid.* p. 1263.

⁴ *Ibid.* p. 1271.

⁵ *Ibid.* p. 1273.

Interests and the safety of the Protestant Establishments?'¹

It is quite vain, for present purposes, to analyse that part of his speech further—the whole argument is there in a nutshell. Peel had convinced himself immovably that the Roman Catholic Association could force this concession, and also that the concession would secure rather than undermine Protestant Interests in Ireland,—and all further argumentation was utterly useless.

But to show how even so great and able a Minister absolutely failed to realise the full outcome of his own logic, this specimen out of many may be given:—‘His proposition now rested on the integrity of the Protestant Church and the Protestant Institutions of the country;’ (if so, he rested on a basis of sand so far as Ireland is concerned. Where is now the integrity of that Protestant Establishment?) ‘and on the perfect equality of Protestants and Roman Catholics, as far as regarded every Civil privilege;’ (the very thing which the Roman Catholics of Ireland still clamour for, and loudly deny that they ever obtained from Peel’s Bill or from any other!) ‘for if once you break in upon the Exclusive system, as was done in 1793, there was no intermediate system at which they could stop; they must go on and establish a perfect equality of Civil rights;’² (that is exactly what the Roman Catholic urges to-day—irresistibly as against Peel’s logic—and claims for the Crown, as well as for the Subject, freedom of Religion, freedom at least for Popery on the throne).

Dealing with the cry for a ‘fresh appeal to the country,’ Peel revealed rather more of his real spirit than he intended, when he almost scornfully asked,—‘Would it be wise to set such a precedent, as to declare their own incompetency to legislate upon any question which the Crown might think proper to submit to their consideration?’³ We reflect that

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1278.

² *Ibid.* p. 1285.

³ *Ibid.* p. 1288.



the said Message from the Throne was nothing more or less than the recommendation of Ministers themselves, and are not a little staggered at this claim of the Cabinet for the time being to override and ignore the Constituency of the Nation. Had not Peel at heart felt a sovereign contempt for the vote of the People, he never could have brought himself to play the part he did, and to mock thus at the idea of consulting them.

Here, however, and again and again, he revealed to us also that the spectre of Civil War had blinded him to every other consideration :—‘Consider the altered position of affairs in Ireland now, a greater calm than I have ever known to exist there! To lose this advantage, to reject conciliation, which is within our grasp, would be attended with consequences so fatal to the repose of the Empire that I cannot even in fancy bear to contemplate them.’ Peel most inexcusably forgot what later times have had bitter and frequent occasion to remember,—that the same power over the Roman Catholic people of Ireland which produced that ‘calm,’ for its own purposes, and as it were at the lifting of a finger, could again raise the storm when it was wanted for ‘ulterior purposes.’¹

But the closing words of the sorely-perplexed statesman in this great epoch were not lacking in a certain pathetic dignity, as of a man perfectly conscious that he was sacrificing all, and that all might be sacrificed in vain :—‘The fate of this measure cannot now be altered. If it succeed, the credit belongs to others; if it fail, the responsibility will devolve on me, and on those with whom I have acted.’²

The vote was taken at three o’clock on the morning of Thursday 19th March 1829; and the second reading was carried by the overwhelming majority of 180,—there being 353 for, and 173 against the bill.³

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1289.

² *Ibid.* p. 1289.

³ *Ibid.* p. 1290.

SECTION VI

The Committee-Stage of the Bill

WE must perforce hurry over the remaining steps of this momentous measure. Endless side debates and countless petitions occupied both Houses, which it would take hundreds of pages to describe in full. We can only glance at any new fact, or fresh argument, and must resolutely omit everything already referred to in previous discussions.

No time was lost in pushing through the concomitant measure. On that same Thursday the 'Irish Qualification of Freeholders' Bill,' already laid on the table, was now 'read a second time.'¹ Lord Palmerston summed up the prevailing opinion thus:—'He had an insurmountable dislike to the measure, believing it both unjust and unnecessary,' but he would do nothing that might 'imperil' the Relief Bill.² The House had made up its mind to swallow the pill prescribed, however disagreeable, and with whatever wry faces; so there voted for the second reading 223, and against it only 17!³

The Commons passed into 'Committee on the Relief Bill' on March 23rd. In connection with the amendment by Mr. Bankes, a statement was made by Peel, which again reveals to us how utterly astray all his political forecasts on this question have proved to be:—'He presumed, from the example of France and the Netherlands, that the equality of Civil rights would dissolve the intimate union subsisting in Ireland betwixt the Roman Catholic Laity and the Clergy.'⁴ *Never was a statesman's guess wider of the mark!* It is indisputable that, in these calculations, Peel was dealing with quantities which he failed to understand.

On another proposal, to 'except' the office of Prime

¹ Hansard's *P. D.* (second series), vol. xx. p. 1329.

² *Ibid.* p. 1352.

³ *Ibid.* p. 1363.

⁴ *Ibid.* p. 1397.

Minister, and Peel having argued that the supposed security was 'perfectly delusive,' Mr. Michael T. Sadler struck in with notes more true than agreeable. 'He quite agreed that the proposed security was no security at all! As Roman Catholics were to be admitted to Parliament, he would prefer that the whole Offices in the State should be thrown open to them, all the Civil and Legal Offices, even the Royal Office itself. (Cries of Oh! Oh!) *After Roman Catholics were admitted to Parliament, all securities were unavailing.*'¹

Several Members having strongly condemned the penalties and fines against Jesuits and others, amongst the rest a certain Mr. Henry Labouchere of that earlier day, Peel vigorously defended that clause of his bill. It was one of the salves to his conscience, and it won him many votes in that time, however much it has proved to be a dead letter ever since! 'The Laws of England were always opposed,' said he, 'to the Monastic Orders, as distinct from the Secular Clergy, and every foreign country had been driven to similar courses.'²

A somewhat remarkable episode marked the proceedings on Thursday, March 26th. Sir James Mackintosh, Member for Knaresborough, presented a Petition in favour of concession from Edinburgh, and prefaced it thus:—'It was signed by seven Peers, sons of Peers, or Privy Councillors, twenty-five Knights of the Bath, one hundred and fifty-five Gentlemen of Landed Property, one hundred and thirty practising Advocates, fifty Divines, Dr. Baird, Principal of the University, and sixteen Professors, twenty-one Bankers, six General Officers, forty Colonels, thirty-two Officers of the Navy, one hundred and ninety-eight Physicians, and six hundred other Lawyers, besides Advocates, two hundred and fifty Merchants and Traders, and by all the leaders of the Tory and Whig parties with a very few exceptions.'³

Then he proceeded to annotate this phenomenal petition

¹ Hansard's *P. D.* (second series), vol. xx. p. 1426.

² *Ibid.* p. 1441.

³ *Ibid.* p. 1460.

in the following amazing manner:—‘There were, besides, such names as these. For example, the most celebrated writer now living in the whole world, who had given more delight to the greatest number of human beings in the same space of time than any man who ever preceded him in the walks of literature—the illustrious SIR WALTER SCOTT. Next to the first name in British literature, he could point to the first name in British science, that of SIR HUMPHRY DAVY, who, drooping on a bed of sickness, and suffering in the pangs of dissolution, had yet the mental firmness to express by letter the glow of joy he felt from hearing in a foreign land the glad tidings of the introduction of this bill, which he hailed as an honour to his religion and his country.¹ Next he would name SIR JAMES MONCREIFF, Dean of the Faculty of Advocates, who took a most active part in the Edinburgh meeting,—the son of one of the brightest lights of the Church of Scotland, whose venerable presence still rose before his mind, combining as it did the character of one of the primitive Fathers of the Church, with the port and bearing of a gentleman of ancient blood, in a degree which he had never before seen united in any man. Sir James, like his father, was a firm supporter of the Protestant Church. Next he would name an individual than whom no man was more eminent for exemplary piety, extensive learning and information, and sincere anxiety for the welfare of the Protestant faith, that ornament of his profession, the learned, the philosophical, the eloquent, the pious DR. CHALMERS. He begged “that the Legislature would disencumber the Established Church from the deceitful protection derived from disabilities imposed on our Catholic fellow-countrymen; would relieve religion from the ambiguous armour, which could add nothing to its capability of defence.”² Like St. Austin, when he replied that he should despair of the African Church, if it stood in need of the Military interposition of the Proconsul of Africa,

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1461.² *Ibid.* p. 1462.

or BISHOP JEREMY TAYLOR, when speaking of the aids which might be derived by Religion from Civil institutions, who described all such reliance as distrust in God to maintain His own cause and His own people.¹

All which is pretty talking, and perfectly true, if you are dealing with what is distinctively a Religion ; but is weak, and almost silly, if you are dealing with what is in fact and practice a *Conspiracy against Civil Freedom and National Independence*, under the disguise and form of a Religion ! But we let this episode stand on the page of history, as a shining instance of the sophistry by which these times were so fatally entangled.

When Sir James Mackintosh resumed his seat, Mr. W. H. Trant complained in a half-solemn, half-ludicrous way of his constant use of a phrase he had never heard before—the ‘New Democratists’—and twitted Sir James about his former cries—the ‘Majesty of the People,’ the ‘Sovereignty of the People.’

Next day, in the House of Lords, the Earl of Haddington presented the same Edinburgh Petition, and dwelt largely upon ‘the most distinguished speech of the venerable Dr. Chalmers.’² That great doctor, ‘for the sake of the advancement of the Protestant Religion, “implored their Lordships to remove all the props of the Penal Code.” He contended, in a strain of unrivalled eloquence, “that the Protestant Religion had made its way through all difficulties by the force of naked and unassisted truth ;” that at a time when real difficulties were opposed to its progress, it “triumphed over them and spread itself over the land by the force of truth alone.” And he went on to prove that “the greatest obstacles which the principles of the Reformation had to encounter in the Sister Ireland” were these props and fences which the law had placed about them in a code of exclusion !’³

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1463.

² *Ibid.* p. 1486.

³ *Ibid.* p. 1486.

In all which the same vitiating fallacy runs through every sentence,—the props were the props of *Civil* as well as Religious Freedom; the fences were raised not against a Religion but against a *Polity* that called itself Religion; and besides, the exclusion of Roman Catholics from Parliament, *not for their religious faith, but their lack of loyalty and their divided allegiance*, was no part of what had been known as the ‘Penal Code,’ which had for a generation ceased to exist.

Proceeding to comment on petitions in general, this same Earl rather unwarily revealed himself thus:—‘A petition of an opposite nature, signed by 18,000, as against the 7000 of this one, was about indeed to be presented, also from Edinburgh. The Glasgow petition, already presented, was signed by 36,000; and that of yesterday, from London, by 113,000. If the question was to be decided by the number of names attached to the petitions, then the cause of ‘Eman-cipation’ must be abandoned; but he conceived that the Parliament ought to look to the intelligence of those who petitioned!’¹ What do the ‘New Democratists’ think of this fine touch of blue-blooded hauteur? One kind of argument suits the one assembly, the other suits a different assembly, and all is regarded as fair that brings grist to the mill! So the Earl chatters on about the ‘better informed classes, and the hard-working, industrious labourers and artisans.’ He means ‘no imputation on these classes,’—of course not,—‘but it is quite impossible they should know anything about the matter!’² Oh dear! One would give a good deal to have seen Dr. Chalmers’s face when he read these shallow and scornful remarks, and saw the strange uses to which his fallacious logic was being put,—discounting the verdict of the very People, to whose verdict he made his own appeal as next to that almost of God Himself.

When the Commons sat again in Committee on Friday,

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1488.

² *Ibid.* p. 1488.

March 27th, Sir George H. Rose, Member for Christchurch, predicted 'that a body, such as the Irish Roman Catholics will be in Parliament, keeping apart from battle till the ranks of the combatants are ragged and thin, will inspire awe, mistrust, and fear on all sides, and will give the victory where they please.'¹ Another, and a very successful attempt at genuine Political prophecy, which, being founded on facts and principles, has been verified again and again since first uttered,—the Irish Popish Faction too truly oftentimes holding the balance of power, selling its vote for a price, and swaying by its compact independence the Imperial Parliament.

Colonel Frederick William Trench, Member for Cambridge, avowed a change of sentiments in a mood too characteristic of the times. Well acquainted with 'the real state of Ireland,' seeing a superstitious People 'blindly subjugated to the domination of their Priests,' and beholding these Priests 'becoming political agents and political agitators,' he had been a 'constant and conscientious opponent' of Roman Catholic claims.² But now this gallant gentleman is about to turn his back on these strong and long-matured convictions, and as he is a perfect type of scores of others, and his motives identical with theirs, we must let you see how he justifies his conduct to himself, that you may weigh in the balances of History the value of such a resolution:—'Sir, I will never yield up my honest conviction either to the Monarch or his Ministers' (this is preposterously funny—I scorn to yield up my convictions, yet I do what they bid me do!); 'but when I see his Majesty's recommendation brought forward by two such men as the Duke and the Right Honourable Secretary—men who have always been the most firm supporters and the most zealous advocates of our Protestant Constitution³—I feel bound to

¹ Hansard's *P. D.* (second series), vol. xx. p. 1492.

² *Ibid.* p. 1494.

³ *Ibid.* p. 1495.

renounce my own strong and deeply-rooted prejudices ;' (prejudices after all, then, and not honest convictions, were they?) 'I believe the Right Honourable Secretary to be a truly honest statesman, and I am confident that the noble Duke at the head of his Majesty's Council is as disinterested as able, and as intrepid a Minister as ever wielded the energies of this great Empire. . . . Under the circumstances, I give a reluctant consent. I think I could point out how we have been betrayed into our present fearful situation. But the Temple of the Constitution is on fire ; and, instead of pausing to inquire for the incendiary, I will endeavour to stop the conflagration, and save as much as I can from the flames !'¹

We owe, as interpreters of events, a heavy debt to this ingenuous gentleman. He unroofs his soul, and lets us see its working. It is a pitiful and dishonourable spectacle,—conscious of having been 'betrayed,' yet applauding the traitors. Manifestly, hundreds besides the gallant Colonel had no better or more honourable explanation to give, however hard they had tried to make themselves believe the contrary.

In reply to an amendment, proposing to restore in the Oath the Clauses from the Oath of 1791, Peel brusquely retorted, 'that if Roman Catholics believed in a dispensing power from Oaths, or the lawfulness of murdering heretics,' they should be disqualified, not only from seats in Parliament, but from 'giving evidence in Courts of Justice, and from the duties of Jurors, where they exercised power over the lives and properties of their fellow-citizens.'² And Mr. Wm. H. Trant, reminding the House how, up till a few weeks ago, the Right Honourable Secretary had zealously advocated those very clauses, continued,—'It was now the fashion to object to these Oaths. Their ancestors had stronger stomachs³—they swallowed them, and required no

¹ Hansard's *P. D.* (second series), vol. xx. p. 1496.

² *Ibid.* p. 1506.

³ *Ibid.* p. 1507.

Abernethy pills to digest them! They had no qualms of conscience on the subject—when their object was to protect their Civil and Religious Liberties.’

On another amendment, Sir Charles Wetherell, speaking now from the Opposition benches, rather furiously attacked and denounced this ‘Jacobinical Bill;’ and, in moving about a copy of it in his hand, accidentally ‘struck Mr. Bankes on the head,’ and woke peals of ‘hearty laughter.’¹ For a little humour goes a long way in an over-strained and anxious Assembly!

On Clause X., as to Jesuits and other Monastic Orders, the Right Honourable F. L. Lewis, Member for Radnorshire, unveiled the egregious simplicity which prevails amongst a certain type of Protestants,—‘They had nothing now to fear from Jesuits in the United Kingdom; there were only three Members of that Order in Ireland; they were only established at Stonyhurst and Clongowes; means were being taken in the measure to prevent the possibility of their increase; in fact, under the bill, the Order of Jesuits must soon cease to exist!’²

Such, in effect, was the so-called argument that carried the day, which every page of our annals since mocks at as criminal; *for simplicity like this is surely criminal in the face of history*. Yet there come, now and again, tides in National affairs, when such irrational and unreflecting talk wins votes, and settles the destiny of Empires.

Peel declared, that at that moment, and since 1793, ‘there was no law whatever in Ireland; and, since 1791, none in England,’ against the residence of Jesuits or other Monastic Orders. But the law as to Monastic Endowments remained unchanged by the law of 1791—such *endowments* were ‘illegal,’ and when discovered became ‘forfeited.’ And so far his bill left the law ‘exactly as it found it.’³

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1512.

² *Ibid.* p. 1520.

³ *Ibid.* p. 1524.

He further explained 'his wish to extend this law to all the Colonies,' and the 'Licence, from one of his Majesty's Secretaries of State for a period not exceeding six calendar months,'¹ to permit Jesuit scholars, etc., to reside in the United Kingdom for purposes of study. And one knows not whether the House felt that the whole thing would be a dead letter, and good-humouredly let Peel have his way ; but, at all events, his own enthusiasm on this precious 'Security' woke no enthusiasm in return.

Mr. Joseph Hume, Member for Aberdeen, resolutely denounced, but almost solitarily, the whole proposal,—'There was no class of men to whom the world had been more indebted than to Jesuits! True, they had abused their power ; but that was at an end. It was a reflection upon the country to be so afraid of Jesuits!' Even Mr. Trant, Peel's old henchman, denouncing the hollowness of these precautions, exclaimed,—'Better at once allow the Jesuits the free privilege of coming into and settling in the country!'²

Further discussion, however, could have no effect on the main provisions of the Bill, and left almost no trace even on a single important detail. The second reading had been carried ; the Committee-stage was now passed through ; and it was ordered to be 'engrossed' by a majority of 127—the ayes being 233, and the noes only 106.³

SECTION VII

Third Reading Debate in the Commons

THE debate on the third reading began on Monday, 30th March, expedition being the order of the day. As in all such cases, there is an unconscionable amount of repeti-

¹ Hansard's *P. D.* (second series), vol. xx. pp. 1525, 1526.

² *Ibid.* pp. 1526, 1527.

³ *Ibid.* p. 1530.

tion both in the attack and in the defence. If our *résumé* looks scrappy, let the reader understand that we are trying not to load the page with repetitions, and only glancing at a fresh speaker, or an original idea, as they start upon us by the way.

The Marquis of Chandos, Member for Bucks, 'had heard not a single reason for altering his opinion,' and moved that the bill be read that day six months.' If it did pass he hoped 'that the Roman Catholics would never forget the circumstances under which these laws had been originally enacted against them—circumstances which, he earnestly trusted, would never recur!'¹

Mr. George Moore, Member for Dublin, reminded the House 'that, in 1774, when it was proposed to exempt the Catholics of our American Colonies from taking the Oath of Supremacy, the great Lord Chatham contended "that it was as contrary to the spirit of the Constitution to repeal that Act, or any other Act against the Catholics, passed in the reigns of Elizabeth or Henry VIII., as to repeal the Bill of Rights."'²

The Honourable Peregrine F. Cust, Member for Clitherow, held the opinion 'that a distinction could not be drawn between the Religion and the Politics of the Church of Rome.'³

Sir C. M. Burrell, Member for New Shoreham, maintained 'that the tendency of the Roman Catholic Religion was to make its members bad subjects of the Government';⁴ and proceeded to prove this from history by the following remarkable 'instances.' In the time of Charles I., 'the wise measures of the Duke of Ormond were frustrated by the intrigues of the Nuncio Renuccini. But even his violent claims were exceeded by those of the Court of Rome.' So also, 'when, at the Council of Kilkenny, the same Nuncio recommended fidelity to God and Religion, and next to the King, he was

¹ Hansard's *P. D.* (second series), vol. xx. p. 1537.

² *Ibid.* p. 1538.

³ *Ibid.* p. 1554.

⁴ *Ibid.* p. 1555.

severely reprimanded through Cardinal Pamphilus,—“for that the Holy See would never by any positive act approve the Civil Allegiance which Catholic subjects paid to a heretic Prince.”” Also, on the Restoration of Charles II., ‘some of the more moderate Catholics addressed, through one Peter Walsh, a *Remonstrance*, in which they “disclaimed all Foreign Power, Papal or Princely, Spiritual or Temporal, inasmuch as it may be able, or shall pretend, to free them from the obligations of allegiance, or permit them to offer any violence to his Majesty’s person or Government ; protesting further, and declaring it impious, and against the Word of God, to maintain that any private subject may kill his Prince.” But the Court of Rome gave orders to the Internuncio at Brussels, who had then the charge of Ecclesiastical affairs in Ireland, and to Cardinal Barberini, “to censure the Remonstrance, in the name of the Pope, as containing propositions already condemned by the Holy See.”¹ The Remonstrants were persecuted, deprived of their cures and stations ; and Peter Walsh and his associates were excommunicated, fled to a Foreign Country, and were in danger of being burnt alive for denying the power of the Pope in temporal affairs.’

Mr. William John Bankes, Member for Marlborough, with bitter irony contended,—‘that the day might arrive when there appeared a Jesuit in the State as well as in the Church ; such a Jesuit he could fancy, in the capacity of Minister, coming down to the House and saying, “I have not altered my opinion, but I will go directly contrary to my opinion. I do see danger in the course I am pursuing, plainly and obviously, but I will run directly on it. I do see a necessity for securities, but I will give none. I do not deny that there is evil in what I propose, but I do evil that good may come”—

“Who would not laugh, if such a man there be ?
Who would not weep, if Atticus were he ?”²

¹ Hansard’s *P. D.* (second series), vol. xx. p 1556.

² *Ibid.* p. 1560.

The Solicitor-General, Sir Nicholas C. Tindal, denying that their Oath of Office was any 'barrier' to such proposals, remarked that neither Lord Eldon, the Sir John Scott of 1791, nor Lord Redesdale, the Sir John Mitford of 1793, the one Attorney-General, and the other Solicitor-General, 'saw then this extraordinary pungency in their Oaths.'¹

But, in answer to this jeer, Sir Charles Wetherell hotly replied, as Attorney-General who had refused to draft the bill under debate,—'I must tell the learned gentleman that I would consider I was putting the Monarch in jeopardy if I advised him to give his assent to a bill, the tendency of which is to destroy the Protestant part of the Constitution, which Constitution he is bound by his Coronation Oath to defend and protect ;'² at which bold reminder there were 'loud cheers!'

As to the consciences of Lords Eldon and Redesdale, Sir Charles indignantly asked,—'Did they give their consent to a bill throwing open the Parliament and the great Offices of State to Roman Catholics?' and replied,—'I say, No! no such thing! They gave their sanction to the relaxation of certain Penal inflictions to which Catholics were liable by the law of the land. They did not concede Political power.'³

Analysing the 'precautions' to prevent Roman Catholics using their influence against Protestant Establishments, Sir Charles acutely demonstrated their utter illusiveness. Suppose a bill to be brought in 'for the appropriation of Church properties to other than their present objects,' he asked,—'Do you mean to tell me that the Catholic would be acting against his Parliamentary Oath if he sanctioned such a measure? But if you will leave to the Roman Catholic the legislative power to injure the Protestant institutions of the State, then I say I can never believe any man who tells me that there is *no danger to the Church* in the admission of Roman Catholics into Parliament.'⁴

¹ Hansard's *P. D.* (second series), vol. xx. p. 1562.

² *Ibid.* p. 1569.

³ *Ibid.* p. 1571.

⁴ *Ibid.* p. 1574.

Grappling with the 'provisoes' against the abuse of patronage, he wittily put the problem thus,—'If the key of the box that holds Church Patronage be locked up in a larger box, who is to keep the key of the larger one?' And then, with barbed shafts against Peel, he continued the argument,—'Take the case of a Home Secretary abandoning his Constitutional principles for the sake of Cabinet connections, or suppose him borne along against his better nature, or suppose him the personal friend of a Catholic Prime Minister, hostile to the Establishment and attached to him—what security has the Church in such a Home Secretary? None! None in the world!'¹

As to the argument founded on 'the Sense of the People,' Sir Charles affirmed that their opponents admitted that the petitions of the people 'against' the measure constituted in numbers 'a preponderance of 10 to 1. But they add that reason and justice, in this instance, are with the few, not with the many. This was urged, in a very tasty and flowery speech, and in a very captivating style, by the honourable gentleman who presented the petition on Thursday. You are not to take into view what a hundred thousand respectable and well-educated tradesmen think upon the subject, but what are the opinions of Sir Walter Scott, of Dr. Chalmers, and of a given number of Edinburgh Professors! I hold this to be an invasion of the principle of the Bill of Rights, and an insult to common sense. I maintain that men of plain understanding are just as capable of judging of the value of the Protestant Church, and of the effect of securities, as any man, if such there be, who can write as well as Sir Walter Scott, or preach as well as Dr. Chalmers!'²

Some feeble cries of 'No! No!' stirred him to defend his position,—'I assert that the Religion of the Church of England is not the Religion of the few but of the many, not of the Ministers but of the People, not of men of intellectual

¹ Hansard's *P. D.* (second series), vol. xx. p. 1575.

² *Ibid.* p. 1580.

attainments and of scholarly metaphysics, but of men of a sober, dispassionate, and reflecting turn of mind. It is well to say that the most eminent Novelist of this or any other time and country is in favour of this novelty, that the most profound Metaphysicians that ever graced our schools see no danger in this speculation,—but the question is, What do the People of England think of it, and what do they fear from it? And when they are blamed for listening to the information and advice of their Pastors, I answer that, on such points, they are much better able to instruct them than are the possessors of the most refined and curious genius.’¹

Touching upon the ‘great advantages’ anticipated from the ‘coming Roman Catholic Judges,’ Sir Charles reminded the House ‘that Allybone was a Judge and a Jesuit, the last that graced our Bench,—who wore the ermined exterior of a Judge, but scandalised and vilified the administration of British law by his charge to the Jury in the case of the Seven Bishops. He gave us a sample of what may be expected from a Papist, when elevated to that station, and when any question is brought before him involving the interests of his faith.’²

In closing, Sir Charles protested,—‘A vast deal has been said about *names*, and about the value of *authority*. But I can produce a list of at least as weighty names as the writers of novels, however luxuriant the emanations of their genius, or any lawyers of Scotland, however great their learning. Lord Somers may be pitted even against the Solicitor-General for Scotland! Milton and Locke are metaphysicians of the olden time, at least equal to any of our own! Hume is one among *Quales viros Caledonia emisit*, and his authority is perhaps equal to that of any modern, however palmy, magnificent, and efflorescent!’³ With this final dig at Sir James Mackintosh and his flowery oration, Sir Charles

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1581.

² *Ibid.* p. 1581.

³ *Ibid.* p. 1583.

wound up a very incisive speech, not wishing to trouble the House with 'other names, such as Sydney and Harrington and Sir William Blackstone,'—'all the enemies of Popery,' that is, all against granting to Popery this political and legislative power.

But all his thrusts were lost on Peel, who instantly rose, and coldly and somewhat sneeringly remarked,—'if that speech contained all the imputations against this measure, that he had heard it with complete satisfaction—greater than that of any of the defenders of the bill!'¹

On the general question Peel contended 'that it was a distinctive feature of this bill that it in no sense recognised the Catholics' intercourse with the See of Rome. He deliberately abandoned clauses like those in the bill of 1825 as utterly useless, and as implying, on the part of the Crown, some recognition of the Roman Catholic Religion in England.' He abandoned 'all such securities in that and in previous bills, of which it had been well said that they served as a blind to Protestants, but afforded no effectual security.'²

Vindicating his own action, he 'reserved to himself distinctly and unequivocally the right of adapting his conduct to the emergency of the moment, and to the wants of his country. It does not always follow that the pilot is to steer the same course to guard the ship from danger. When different winds are blowing, it is absolutely incumbent to take a different course.'³ So that Peel, amongst all his other titles to remembrance, may be truly described as the first great Opportunist Statesman in British History. In adapting himself to the winds that blow, he has had many and successful imitators!

With that touch of classic grace which still lingered in the then House of Commons, he concluded his defence in the words of Cicero,—'*Haec didici, haec vidi, haec scripta*

¹ Hansard's *P. D.* (second series), vol. xx. p. 1583.

² *Ibid.* p. 1588.

³ *Ibid.* p. 1596.

legi,—non semper easdem sententias ab iisdem, sed, quascunque Reipublicae status, inclinatio temporum, ratio concordiae, postularent, esse defendas.'¹

Thereon, Sir Robert H. Inglis, Member for Oxford University, rose to move 'the adjournment of the debate,' but cries of 'go on!' overpowered everything. After glancing at 'the circumstances, so unexpected and extraordinary, the combination happily so unprecedented, the personal crimination and recrimination,' Sir Robert said 'that of the four arguments on which the defence rested two were personal, but he objected to this measure by whomsoever, and at whatsoever time, introduced to us.'²

Continuing, he exclaimed,—'My objection is founded on *the unchanged and unchangeable character of the Church of Rome*; . . . and when I am told that in Ireland, at any rate, the power of the Papal Hierarchy is extinct, I ask,—Is the proof of that fact to be found in Louth, in Monaghan, in Waterford, in Clare? Is it to be found in the complete organisation of the People and their Priesthood, an organisation by which they are ordered to march or to retreat, to abstain from all sports, from all quarrels, from all their previous habits, and this for a Political purpose? Is it to be found in the fact that the leader of the fierce democracy of Clare, on the very scene of his triumph, and on the very day of his triumph, knelt down on the streets to receive the blessing of the Priests?'³

Ridiculing 'the extraordinary reasoning that this Concession would weaken the Roman Catholics' hostility to Protestantism,' as if saying to them, 'you will be too liberal to take any advantage of us; the battery which you have erected against our great Church you will discharge in the air; we will go together to the Temple of the Goddess of Eternal Justice, and we will swear eternal friendship,' Sir

¹ Hansard's *P. D.* (second series), vol. xx. p. 1596.

² *Ibid.* p. 1597.

³ *Ibid.* p. 1598.

Robert scornfully asked,—‘Would any man out of Bedlam use this language in any other case, without entitling himself to be put back to Bedlam?’¹ That man is surely not entitled to triumph, ‘who changes not his opinion but his vote,—who tells you that he sees the same danger that he saw before,—who declares that the Church of Rome is now, as it ever has been and ever will be, hostile to Protestantism in England, in Ireland, in Europe generally, and wherever it is found,—but who justifies the change of his vote by the statement that, with all these forebodings, the evils of continued resistance are so great that he chooses the evil of concession as the least.’²

Everything was staked by his Majesty’s Government ‘upon their proof that this admitted evil, which they have chosen, *is the least of two evils*.’ Sir Robert then dealt with each of these proofs in their order. He contended, firstly, that the evil of ‘Divided Cabinets’ might have been brought to an end by ‘uniting in sustaining the Constitution and the existing laws;’ reminding them that their measure might in time bring about a ‘worse and more fatal division,’ not as betwixt Protestants and their fellow-Protestants, but as ‘betwixt nominal Protestants and real Roman Catholics’ in his Majesty’s Cabinets.³

He inquired, secondly, as to the ‘division between the two Houses,’—‘Why have the opinions of the two other branches of the Legislature been made to yield to the third? why this deference, when no man can state that this House, in so deciding, represents in any degree the feelings of the great majority of the people of England? And, further, is this not converting the House of Lords into a mere chamber for registering the decrees of the House of Commons? Can any Jacobin desire a surer method of degrading the House of Lords?’⁴

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1598.

² *Ibid.* p. 1599.

³ *Ibid.* p. 1600.

⁴ *Ibid.* p. 1601.

The third argument was from the Right Honourable Secretary himself being 'left in a minority,' and Sir Robert replied,—'I admit that it is disagreeable. But he is not the first Minister who has been left in that situation. And at no time would that fact be a sufficient excuse to any public man for his abandonment of a great principle. At any rate, the argument was stronger in 1825 than in 1829!'¹

Tackling the fourth and last proof, 'the State of Ireland,' Sir Robert continued,—'I do not deny these evils. I contend only that the State of Ireland, bad as it is, is not worse now than it has been at all times as far as history can carry us; and I contend, therefore, that the present laws, by which the power of the State is preserved exclusively Protestant, cannot be the cause of those evils, which existed long before the distinction of Roman Catholic and Protestant, long before Englishmen had entered Ireland at all.' He quoted John Davies and Spenser, and then continued,—'In short, there has been in Ireland a transmigration of turbulence under every different name for centuries; an alternation of insurrection, proscription, and confiscation; and I am entitled to conclude that the repeal of the laws, which for two of those centuries have prevented Roman Catholic gentlemen from sitting in Parliament, will not have much effect in tranquillising such a people.'²

Going on to more general observations, Sir Robert remarked 'that while concession from Canning would have been a grace and a gift, and would perhaps have been received as such, concession from the Right Honourable Secretary was Privilege surrendered to Intimidation! Concession from the one would have been alms from the merciful, a debt from the just; concession from the other is a purse surrendered to the footpad! He tells us that he yields unwillingly, that the party to whom he yields has no right to the booty, and that he yields because he is afraid that if he resists any

¹ Hansard's *P. D.* (second series), vol. xx. p. 1601.

² *Ibid.* pp. 1603, 1604.

longer he will be knocked down. But let me tell him that, while alms may silence the beggar, and payment will satisfy the creditor, the surrender of his purse to the highwayman is not the best way to preserve his watch !'

And, his logic becoming keener in the edge, he denounced such surrender as a 'direct premium to intimidation,' and cried,—'Henceforth, this principle of intimidation will become an almost rule-of-three sum, and we shall have it in the class-books of Maynooth! If a given degree of agitation will gain seats in Parliament, what degree will be necessary to procure any other concession? For example, Abolition of Tithes, or Dissolution of the Union.'¹ Ghost of Sir Robert, they have wrought out the one sum already, and have squared off the answer years ago! They are now busy working out the other, but the equivalent has not just yet been discovered. There is, however, in this last decade of the century, great hope of speedy achievement; for the Priests of Rome have at last taken up the problem, and are determinedly experimenting to solve it!

Rising in the close of his speech into a solemn as well as lofty strain of argument, Sir Robert thus delivered his unflinching testimony,—'I regard the solemn Oath and the Declaration, about to be abrogated, as the National Protest against Popery. These are the only Tests, so far as the Legislature is concerned, whereby it is seen that we have any interest in Protestantism. Remove these, *and we shall cease as a Legislature to protest against Popery*, and to record before God and our country our sense of the value of the Protestantism of our Constitution. In fact, that Protestantism this bill formally renounces. And, believing that a blessing has rested on our Protestantism and that this measure destroys that Protestantism as a characteristic of our Institutions, I have objected to it, and will continue to object to it, now and for ever.'²

¹ Hansard's *P. D.* (second series), vol. xx. p. 1605.

² *Ibid.* p. 1609.

There were now 'loud cries' for 'Sadler! Sadler!' And so the Member for Newark rose to move an 'adjournment,' but his voice was again drowned in cries of 'Go on! go on!' He protested 'that the character and dignity of the House were implicated in these precipitate proceedings,' and pleaded for 'the decency and the necessity of more deliberation.' His pleas, however, could scarcely be heard for the shouts 'Go on! Go on!'¹

Thus challenged, Mr. Michael T. Sadler once more plunged into the heart of the controversy with magnificent dialectic skill,—'My objections are still levelled at *the principle of this measure*. I believe that it affects in its very nature the Royal Title—that it is subversive of the British Constitution, that is, of the Rights and Liberties of the people—that it is introduced on very insufficient, not to say fallacious, grounds—that its Securities are mere delusions, frivolous in their nature, and practically inoperative—that it will introduce a confusion into our Institutions, which will perpetually increase till the whole be subverted—and that, in establishing the principle of indifference as to the public profession of Religion, it will assuredly generate a contempt for Christianity itself; and I totally disbelieve that it will settle the disputes between Protestantism and Catholicism, which are, in their very nature, irreconcilable while either is sincerely believed.'²

He then retravelled the ground of his former great speech, regarding 'the origin of the distresses and disturbances in Ireland,' and the 'remedies he had ventured to propose,' vindicating himself thus,³—'The contest which I recommended was not the Civil War they imputed to me, but war against injustice in all its forms, and especially when abetted by wealth and armed with power—against Priestly domination, against Laical desertion,—evils of which the

¹ Hansard's *P. D.* (second series), vol. xx. p. 1610.

² *Ibid.* p. 1611.

³ *Ibid.* p. 1612.

generous and long-suffering people of Ireland have been for ages at once the dupes and the victims,—evils which I firmly believe the present measure will go far to perpetuate.’¹

The *Emancipation* which he would ask, in behalf of oppressed Ireland, ‘does not affect the few, whom this measure contemplates alone to serve, at the expense of the many whose Political condition it evidently and intentionally degrades. It is not a sentimental Emancipation, extending privileges to the great Catholic proprietors and Peers, the Emancipation of the Drawing-room and the Saloon; it is the Emancipation of the Mass of the Irish people from the chains of superstition and tyranny, from cruelty and oppression,—Emancipation from the devastation of unrelieved want, from the desolation of universal wretchedness. And that by means simple and obvious and efficacious, which every good man would hail, which even the bad would fear to oppose, viz., by encouraging and rewarding labour, by promoting and extending cultivation, by the reclamation of those bogs and wastes, which now freckle over the face of that fair and fertile country, and, above all, by the introduction of a moderated National Charity,—that sacred, but much insulted system, which would descend upon the bruised and afflicted country like an angel of mercy with healing in its wings; and the youngest sister of the Union would become one of the fairest and best beloved of all the branches of the British family.’²

Dealing with ‘the real principle of the British Constitution as demanding, and for the most important of all possible reasons, a *moral qualification* from those who have to make and to administer our laws,’ and with the contrast between the doctrines of Protestantism and Catholicism in their necessary effect on public morals, liberty, and happiness,’ Sadler observed on the latter theme,³—‘I will, however, only

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1612.

² *Ibid.* p. 1613.

³ *Ibid.* p. 1614.

remark as to Popery that the peculiar nature of its tenets is such as naturally to produce those melancholy effects which have invariably accompanied it, wherever dominant,—its exclusive and intolerant character; its ridiculous and mendacious miracles; its dogmas as to indulgences and penances and absolutions, committing as they apparently do the jurisdiction of the Deity to ignorant and mercenary men; its belief in the efficacy of Masses for the dead, thus putting up to auction the mercy of the Almighty;¹ a Religion this, which not only drives a sordid trade with the sins of the living, but with the offences of the dead, to the constant peril, and often to the destruction, of the primary principles of Morality; can any man, who believes in any Religion whatever except this one, conceive it to be a proper ingredient in the Protestant Constitution of this Empire?² . . . Hitherto the Protestant Church has been a true spouse, a faithful helpmate to the State, and has followed all its fortunes. Now, it is proposed to admit into the domestic establishment its meretricious rival—Popery! And this, forsooth, under the assurance that the adulterous association will heal all quarrels and produce uninterrupted peace! The proposition is folly as well as infamy.’³

Proceeding then to analyse the ‘reasons advanced for attempting to carry this bill,’ and particularly the one supreme reason,—‘*Expediency*, the alpha and omega of the New School,’ Sadler fervently protested,—‘*Expediency*, indeed, illuminated by Religion and fortified by principle, is a safe adviser; but what is it, when it pompously divests itself of both? *Expediency*, then, is the ready apology of the practised intriguer, the excuse of the ambitious slave, the justification of the inexorable tyrant—in a word, the lip defence of the most unprincipled policy, of the most heinous crimes that have ever disgraced or desolated the Earth.’⁴

¹ Hansard's *P. D.* (second series), vol. xx. p. 1615.

² *Ibid.* p. 1616.

³ *Ibid.* p. 1617.

⁴ *Ibid.* p. 1619.

This argument he proceeded to 'found on human experience,' tracing the path of 'the knot of expediency-mongers' who, in France, gave up first 'principles,' then 'Christianity itself,' and then finally the 'life of the Monarch, to this idol-phrase ;'¹ and also the story of the downfall of England's own Church and Monarchy,—it was 'expedient' that the noble Strafford should be found guilty, and 'expedient' that his Sovereign should sign the death-warrant of his friend, to 'tranquillise the public mind,' as was promised by a 'triumphant majority' in these days too! And then he drove home the lessons of history in this solemn appeal—'One more illustration ; and, as the matter and cause are plainly sacred, a most appropriate one ; another "choice of evils"—It is "expedient" that this man should perish !'² . . .

'The present occasion is only less important than that. *Protestant Ascendency is now the victim. Expediency will be the Priest.* That sacred principle for which our fathers struggled so doubtfully and long, and which they deemed cheaply purchased at the expense of life ; that principle, which has fostered the learning, liberated the genius, formed the characters, and purified the morals of this great Protestant Nation,—the noblest, as Chatham exclaimed, for which ever Monarch drew his sword or Subject shed his blood,—is about to be surrendered for the cowardly approach of dangers ; which, however, the advocates of this measure do not pretend that it will dissipate but only change, not remove, but perhaps postpone ; about to be surrendered to Expediency, because, in a choice of evils, this "breaking in upon the Constitution" is the lesser one !'³ . . .

'But the measure ought not thus to be presented. It is rather a choice of evils in preference to good. In the ancient path in which your ancestors so nobly trod, there may indeed be difficulties interposed, obstacles to be overcome, as in the

¹ Hansard's *P. D.* (second series), vol. xx. p. 1620.

² *Ibid.* p. 1621.

³ *Ibid.* p. 1621.

path of duty and glory there have ever been. Meet them nobly, they will but heighten your achievement, and increase its reward. Preserve your Constitution. Defend your Establishment. Become the true friend, the real benefactor of Ireland. Succour and save her by kinder, safer, surer methods than those now proposed. And your patriotic efforts will have the approbation of your own consciences, the gratitude of your country, and the applause of posterity.’¹

Hastening on to a conclusion, and conscious that in all probability his words would not affect a single vote in that House, apparently committed beyond recall, Sadler wound up his magnificent argument and oration with these noble sentences:—‘The abettors say that this bill will pass. But whatever be the result, we will contend to the last. In this moral battle, we stand at the Thermopylae of Protestantism, secure of immortality even in the article of defeat. Nor would it be defeat, but that some recreant Mœlian leads the enemies of the Institutions of his Country through secret passes to this melancholy and disgraceful triumph! . . . Sir, I am well aware that my feeble voice can have no influence. I am told that none would, however powerful, against the phalanx united in hostility to the Protestant Cause. Cemented and influenced as that phalanx is—reason, entreaty, remonstrance are urged in vain. All I can do is done. I have laid this offering on the Altar of my Country, humble as it is. My life should be added, could the sacrifice be availing—a feeling which I partake with millions!’²

Thereafter, several other Members briefly spoke; and then Mr. Joseph Sidney Yorke, Member for Ryegate, thought it fitting to wind up this great debate with an egregious Irish toast—‘May the *sister* Kingdoms be united, and may they live hereafter together like two *brothers*!’³

The vote was then taken. The phalanx stood unbroken

¹ Hansard’s *P. D.* (second series), vol. xx. p. 1622.

² *Ibid.* pp. 1625, 1626.

³ *Ibid.* p. 1633.

—320 ayes, and 142 noes, majority 178. Thereon, the 'Freeholders' Bill' was also read a third time, and both were carried *pari passu*—the Commons getting the Relief Bill, and promptly paying the stipulated 'price' for it by passing the other! Then the House adjourned at a quarter to four on Tuesday morning, 31st March 1829.¹

SECTION VIII

Second Reading Debate in the Lords

THAT very same Tuesday, when the Lords in due course assembled, the Duke of Wellington laid the 'Roman Catholic Relief Bill' on the table, and 'moved that the bill be printed and that the second reading be fixed for Thursday.'² Lord Bexley 'never heard of less than fourteen days being allowed, and complained that in this case there would scarcely be forty-eight hours!'³ He censured 'this breathless haste,' and pointed out that, 'though the public had been completely taken by surprise,' yet, 'while the petitions from Catholics and from Protestants in favour of the measure were only 644 of the one and 274 of the other, the petitions against it were 2953!'⁴ The Duke pleaded that 'he was anxious to state the grounds on which he rested this measure.'⁵ The Earl of Malmesbury asked—'What would posterity think, when it saw that on 31st March this bill was brought up for the first time, and that on 2nd April their Lordships had decided on its principle—about as much time as they took to vote an ordinary turnpike bill?'⁶ Lord Holland mocked at this 'talk of surprise! It is monstrous; it is laughable. For the last thirty years, it has been the subject of annual discussion.'⁷ Eldon acutely remarked, 'that the noble Duke's

¹ Hansard's *P. D.* (second series), vol. xx. p. 1638.

² *Ibid.* vol. xxi. p. 1.

³ *Ibid.* p. 2.

⁴ *Ibid.* p. 4.

⁵ *Ibid.* p. 5.

⁶ *Ibid.* p. 6.

⁷ *Ibid.* p. 11.

anxiety to state fully to the House his reasons for the introduction of this measure was an argument of great weight for an early hearing; but not the reason that the principle of this measure was the same as that which had been discussed for the last thirty years.¹ The Duke, amidst all protests about 'these precipitate proceedings,' had of course his own way; and Thursday was accordingly fixed, even the Earl of Eldon's mild proposal of 'delay till Monday' finding no response.²

The Wednesday which intervened was largely occupied with petitions 'for' and 'against.' One of these demands more than a moment's attention. It was presented in the Upper House by Lord Clifden, and came from the notorious Dr. James Doyle, Roman Catholic Bishop of Kildare and Leighlin, reputed Jesuit, proved intriguer; but whom his Lordship now certified as 'one of the best and most honest men in his Majesty's dominions.' He petitioned strongly 'against that clause of the bill which gave to the Government power over the Jesuits and other Monastic institutions in Great Britain.'³

Lord Clifden himself maintained that 'such a clause disfigured one of the most useful and beneficial bills that ever came before Parliament.' His ingenuous account of the rise and influence of the Jesuitical power, and of its decline and decay, is worth preserving here as amusing reading, in view of all that the Jesuits have done in turning the very Press itself to serve their ends, which he predicted would bring about their 'extinction.' It is by such illusions that superficial thinkers are carried away, and play into the hands of Popery. He asks:—'What was the reason that they ever had this means of acquiring their great power in the past?'⁴ And thus complacently answers himself:—'The ignorance of the ages in which they lived! In that day, there was no

¹ Hansard's *P. D.* (second series), vol. xxi. p. 14.

² *Ibid.* p. 22.

³ *Ibid.* p. 29.

⁴ *Ibid.* p. 30.

Public Press to expose their designs. The Public Press was the enemy of the Society of the Jesuits. Could they ever hope to withstand the attacks of 'The Times,' or of the other papers conducted with equal ability? ¹

It never seems to have dawned on this simple Peer, how the tables might be turned by the Jesuits managing here and there to control the very Press itself! He accounts for everything in their career by the ignorance and darkness of the past times:—'In old magazines, we read of repeated instances of gentlemen(?) amusing themselves by pricking holes in the bodies of the persons they occasionally met in the streets. Things were far worse in the times of the Crusaders; they were as stupid and as ferocious as the beasts of the field. Consequently the Popes, the Bonifaces and the Innocents, acquired great power, having command of all the knowledge of the age, and that power they transferred in great degree to the Jesuits. It was ignorance that made Louis XIV. the slave of the Jesuits, who compelled him to marry an old woman, that had already passed through many hands, but who after all was quite good enough for him.' ²

Thus his Lordship complacently satisfied himself that, 'in presence of the march of intellect, no country in the world had any reason to fear the Jesuits,'—the poor Peer obtusely ignoring the fact that the Jesuit intellect can march too, and that on its own lines. So he rode off into security, crying:—'The Press is more than a match for the Jesuits'—insanely shutting his eyes to the obvious possibility that the Press itself may become a Jesuit tool.

Thursday, 2nd April 1829, has arrived; and the Second Reading Debate on the Roman Catholic Relief Bill is to be opened in the House of Lords. At an 'early hour,' a great crowd gathered round the door. The Upper Chamber itself 'was crowded, the space below the Throne being completely filled.' ³

¹ Hansard's *P. D.* (second series), vol. xxi. p. 30.

² *Ibid.* pp. 31, 32.

³ *Ibid.* p. 33.

'Several ladies also were present.' Thus the dry-as-dust page is lit up a little for our delectation. Many petitions were being presented by many Lords, both 'for' and 'against.' Impatient auditors cried out for the 'order of the day.' But others cried :—'Go on with the petitions!' Lord Kenyon 'rose to order,' refusing to be 'led away by dictation or clamour.'¹ To turn a deaf ear to these petitions was 'most indecent conduct.' So the cries grew louder for the petitions. All were deliberately presented. The order of the day was at last reached ; and the Duke of Wellington rose to move 'the second reading of the Roman Catholic Relief Bill.'²

For purposes of faithful and honest study, the reader must refer to our full analysis, in a *Supplementary Volume* of this historical speech. But the gist of it may be briefly gathered up. He characterised 'the part which he had taken in this matter as a public duty absolutely incumbent on him.'³ As to the 'state of Ireland,' he instanced amongst other things 'that last autumn the Catholic Association deliberated upon a measure to cease all dealings betwixt Roman Catholics and Protestants.'⁴ And it is well to remark in passing that their pet nostrum of 'exclusive dealing' is again to the front, as we write this history, more than sixty years after all the Duke's concessions, and that Parliament is again being called upon to make still other concessions as 'the only remedy.' There are not a few already demanding the 'Dissolution of the Union' as the one effective remedy. *Query*—In the light of the past, can the mere politicians successfully resist that issue? Or is this the inevitable outcome of their fatal system of Government by concession to Clamour, Government by Intimidation?

After describing in strong terms 'the state of society in Ireland,' the Duke faced the question :—'But why not execute the law?' and answered it with the amazing

¹ Hansard's *P. D.* (second series), vol. xxi. p. 35.

² *Ibid.* p. 41.

³ *Ibid.* p. 42.

⁴ *Ibid.* p. 43.

declaration :—‘In all this that I have stated, there was no resistance to the law, no opposition to the King’s troops.’¹ *Here we see all Wellington’s philosophy*, as before we saw Peel’s. To oppose the Catholic Association meant the risk of Civil War ; therefore they must not be opposed, they must be conciliated at whatever price. Pursuing this line of argument, Wellington continued :—‘I am one of those who have probably spent a larger part of my life in war than most men, and principally I may say in Civil War ; and I must say this, that if I can avoid, *by any sacrifice whatever*, even one month of civil war in the country to which I am attached, I would sacrifice my life in order to do it !’²

This was received, of course, with ‘great cheers ;’ and, in certain aspects, it was highly creditable to the heart of so great a Captain of battles. At the same time, in sober earnest, it was cheap and fallacious sentiment. If by ‘any sacrifice whatever’ our forefathers had always avoided Civil War, or even the risk of it, where to-day would have been our Religion, where our Liberties, where our Laws ? There are some things which it is lawful to sacrifice for the sake of peace ; but there are others which it is not lawful so to sacrifice, not even to put in jeopardy.

After a long historical review to prove that the principle in the Revolution Settlement of ‘the exclusion of Roman Catholics’ was ‘not a permanent enactment,’ the Duke triumphantly asked :—‘Are you not called upon, even if that principle were permanent, to review the state of the representation in Ireland,—called upon to see whether it be fit that Parliament should remain groaning under the Popish influence exercised by Priests over the elections in Ireland ?’³ Yes, your Grace, but have you restrained that influence by what you have done ? Or have you not rather brought it into the citadel, and armed it with finer and keener weapons ?

¹ Hansard’s *P. D.* (second series), vol. xxi. p. 44.

² *Ibid.* p. 46.

³ *Ibid.* p. 51.

The Duke, lamenting that former concession in 1782 and 1793 had only the effect of 'increasing the demands of the Roman Catholics,' glorifies this present measure for 'making the concession as large as any reasonable man could ever wish it to be, seeing clearly that anything which remained behind would only give ground for fresh demands?'¹ It never seems to have dawned upon these 'reasonable' men, that Roman Catholics, from their point of view, would mock at every and any 'restriction' or 'exception,' as an insult and an injustice, and would demand that the Throne itself shall be no exception. But history will burn in this lesson on the statesmen of coming days, if not by reasoned conviction, then probably by revolutionary disaster, when once the fruit has ripened.

In discussing the securities obtained through *Concordats*, the Duke sagaciously remarked:—'Each of these supposes that the Pope possesses some power in the country, which he is enabled to concede to the Sovereign with whom the *Concordat* is made. That is a point which I can never yield to any Sovereign whatever. There is no Sovereign, be he who he may, who has any power in this country which he can yield up to his Majesty the King. And we must keep our Sovereign clear from all such transactions!'²

Also, on the somewhat cognate subject of the 'Monastic Orders,' Wellington twitted Eldon for leaving loopholes in his Act of 1791;—and boasted that 'the present measure, without oppressing individuals, would prevent the increase of such establishments, and would gradually put an end to those which have already been formed;' adding, in a grave parenthesis, 'that none was more convinced than himself of the necessity for the absolute extinction of the Monastic Orders in this country.'³ For once, then, our greatest soldier has been outwitted by the still abler soldiers of Loyola; and

¹ Hansard's *P. D.* (second series), vol. xxi. p. 52.

² *Ibid.* p. 54.

³ *Ibid.* p. 56.

for once, this great Captain of men has been completely outgeneraled and befooled. What he planned not only did not 'extinguish' the Jesuits, but gave them unwittingly glorious opportunity and licence to flourish apace. And of this also Britain has yet to reap the unknown fruit, in the days still to be.

Vindicating his belief that the bill would produce 'concord in Ireland,' the Duke dwelt much upon 'the example of the countries on the Continent, where the difference between Catholic and Protestant was never heard of;'¹ and particularly upon the example of Scotland, 'where the grant of toleration to Episcopalians had produced only peace, and none of the dreadful evils anticipated;'²—surely a purblind view of the case in hand, as if the admission of fellow Protestants into the Constitution, and of Papists, ran on all fours!

But his main argument is this:—'There is no doubt that, after this measure shall be adopted, the Roman Catholics can have *no separate interest* as a separate Sect;'³—than which no single statement in all this debate more outrageously contradicts every known fact of history, or more absolutely destroys all confidence in the guidance of the man who made it. Roman Catholicism must, from the very nature of the case, continue to have a 'separate interest,' as long as this kingdom remains Protestant. About that there can be no arguing; it is simple fact.

Finally, the great Duke, greater in the field than on the floor, closed his speech with what sounded like a note of battle after all:—'For my part, I state that if I am disappointed in the hopes which I entertain that tranquillity will result from this measure, I shall have no scruple in coming down and laying before Parliament a statement of the case, and thereon calling Parliament to enable Government to meet whatsoever danger may arise.'² And this was his parting shot.

¹ Hansard's *P. D.* (second series), vol. xxi. p. 57.

² *Ibid.* p. 58.

The then Archbishop of Canterbury, Dr. William Howley, opposed the measure, 'as a duty paramount to all other considerations;' and chiefly on the ground 'that the State would be injured by granting Political power to the Roman Catholics.'¹

The Archbishop of Armagh gave the measure 'decided and uncompromising opposition;' because, amongst other reasons, the bill would not give the promised 'tranquillity to Ireland.' He proved that 'the leaders of the Catholic Association explicitly declared that their ambition was limited to no such objects. O'Connell had publicly intimated that "he would now accept 7s. 6d. in the £1, with the full purpose of demanding next session the 12s. 6d. still remaining due," that is, the repeal of the odious Union, and the independence of Ireland as a nation.'² And he further argued that 'all our dangers would ultimately be increased by these concessions. The Roman Catholic representatives, about to be admitted from Ireland into the other House, will be in effect agents and commissioners of the Romish Priesthood—a body which has objects to gain, and views to promote that are irreconcilable with the general good of the Empire.'³

The Marquis of Salisbury, wearer of the name in that day, feeling as if he had been personally hoodwinked by the Ministry, declared:—'When moving the Address in this House, it never entered my imagination that the privileges conferred by this bill would not be accompanied by full and valid securities for our Protestant Church.'⁴ The only security I could see consisted in the union of the Catholic Clergy with the State. It is an axiom of the Constitution, that no person ought to possess power in the State who had not an interest in using his power for the public benefit. And the best means of connecting the Roman Catholic Clergy with

¹ Hansard's *P. D.* (second series), vol. xxi. p. 58.

² *Ibid.* p. 68.

³ *Ibid.* p. 72.

⁴ *Ibid.* p. 123.

the State is by paying them.' ¹ So then, the Marquis was deceiving, as well as being deceived. He kept his hand on this pet 'co-ordinate endowment' proposal, till he should have won the votes of others ; just as the Ministry kept him in the dark, till he had served their turn.

Several other Peers having spoken, there came loud cries of 'Adjourn!' But Lord Clifden, remembering other days and hardier men, contemptuously retorted :—'What? adjourn, when it is barely one o'clock!' And the Duke of Atholl was vastly astonished :—'He had been fifty years a Member ; had sat till three, five, seven, and even eight o'clock in the morning ;' but these degenerate sons of heroic sires talked of 'adjourning at one o'clock.' Still cries of 'Adjourn!' and 'Go on!' strove to drown each other.² At length, by a gentle, though veiled, threat, the Earl of Eldon brought the obstreperous Peers to a calmer mood :—'If noble Lords think that they can finish this discussion at one sitting, they are vastly mistaken ! If we sit till ten to-morrow morning, the same motion for adjournment must be made then, as is properly made now.' The Lord Chancellor thereon put the question, and it was immediately 'carried in the affirmative.'³

On Friday, April 3rd, after the presentation of many petitions, the debate was 'resumed.' Amongst others, the Bishop of Durham emphasised the fact 'that the Papal authority assumed a Spiritual form ; and then the question was—How did that operate on Temporal matters ?'⁴ All history told them, that there had never been anything, be it ever so execrable, perpetrated by the Church of Rome, that had not been done under the *Spiritual* authority of the Pope.' Exactly so ; Popery calls itself a Religion, its creed a Religious faith, but includes in that what all others call Politics and Civil affairs ; and then raises a great and bitter cry, if you dare to touch it,—that you are intolerant, that you are per-

¹ Hansard's *P. D.* (second series), vol. xxi. p. 124.

² *Ibid.* p. 130.

³ *Ibid.* p. 131.

⁴ *Ibid.* p. 151

secuting men for their *Religious* beliefs! And multitudes are carried away by this ridiculous plea.

The Bishop further unanswerably exposed the futility of '*the sole remaining Security*':—'There was still to be a Protestant King! But the Sovereign in this country could only act under advice of his Ministers. And, with a considerable number of Papists in Parliament and with Popish Ministers, how could the Sovereign prevent the adoption of measures injurious to the Constitution, without resorting to what would be called Un-Constitutional extremes? . . . What if another great Captain should arise, the idol of the Nation, but this time a Papist? Would not such a man be able to form a United Popish Cabinet, by which all the feeble securities now proposed would at once be swept away?'¹

His Royal Highness, the Duke of Sussex, having argued 'that allegiance was a term of purely Civil import,—faithful to those Civil obligations due from subjects to the authority and laws by which they were governed,—and that all this the English and Irish Roman Catholic is just as free and just as ready to observe as the English and Irish Protestant,'² ventured on *the following political prediction*, the belying of which by every page of our history since causes us largely to discount his general sagacity:—'On the day when this bill receives the Royal assent, I shall say, Now is the Union with poor Ireland fully and finally accomplished! That Union, hitherto productive of so scanty a harvest of good, will from that day fully realise the hopes and promises of those engaged in it, by not only consolidating the strength, the power, and the resources of the British Empire, but by promoting the not less substantial blessings of domestic peace, national unanimity, and universal concord.'³ . . . As to the noble Duke, the laurel which he has so often gained on

¹ Hansard's *P. D.* (second series), vol. xxi. p. 152.

² *Ibid.* p. 156.

³ *Ibid.* p. 186.

the field of battle must give way to the olive wreath of peace which is now weaving for his brow !'¹

The new Lord Chancellor, Lyndhurst, having thoroughly well learned the cry of the Cabinet, almost overdid his part by putting on too many of the garments of terror. If this bill did not pass, it was 'impossible that the firmest hand and the stoutest heart could contemplate the consequences, without something approaching to dismay.'² This poor Chancellor, so ready to sell his eloquent advocacy, now to the one cause, now to the other, was apparently even more blinded than ordinary as to the inevitable consequences of what he was doing:—'He entertained no apprehension whatever that the professors of the Roman Catholic Religion, if in Parliament, would exercise their influence to overthrow or injure the Protestant Established Church, no apprehension that their interests would be sacrificed.'³ It is pitiful to think that the destinies of such an Empire, with such a history, should have passed into the guidance of men who so utterly misunderstood and misread the certain action of the forces which they were letting loose.

The Chancellor wound up his speech with this flourish, which sounds so strange here, having Roman Catholic Ireland still on our flank, and threats of something like Civil War filling the air:—'He was sure that this measure would put an end to the contentions and animosities which had prevailed, particularly in Ireland ; and that it would operate to the advantage of the Protestant Church and the Protestant Religion.'⁴

The Earl of Falmouth at once characterised the case of the Chancellor, as the 'most marvellous instance of conversion of all those by which the present measure must be for ever distinguished !'⁵ So late as last June he eloquently refused even to go into Committee to consider the subject,

¹ Hansard's *P. D.* (second series), vol. xxi. p. 187.

² *Ibid.* p. 190.

³ *Ibid.* p. 209.

⁴ *Ibid.* p. 215.

⁵ *Ibid.* p. 216.

unless he was 'prepared to grant Catholic Ascendency in Ireland.' For himself the Earl wished he could bury in oblivion his 'very painful impression,' as to the 'ambiguity and concealment which had been the prelude to this fatal measure.'¹

The Earl of Mansfield, arguing upon the 'influence of the College of Maynooth,' said:—'It has justified the opinion given by a venerable Prelate, now no more. When it was stated in his presence "that men, educated in Ireland, would be more loyal and, peaceable subjects than those educated abroad," he dissented, saying, "that the bigotry of Ireland was greater than that of any other country, Spain herself not excepted; that men, educated in France and other foreign countries would entertain less absurd notions of the Papal power, and be more inclined to obey their temporal Sovereign." To-day you see the talents which you have called into existence, or matured, turned against the country which in its beneficent but imprudent liberality had provided for their education.'²

Comparing the motives for attacking the Church of Scotland with those for attacking the Church of England, the Earl wittily remarked:—'The Church of Scotland stands upon a rock—the *rock of Poverty*!'³

And, finally, he courageously as well as wisely grappled with the main, almost the only argument from the other side:—'Even if proved to me that the alternative is Civil War—which I believe to be absurd—I would much rather encounter present dangers, not irremediable, than leave remote and greater dangers, at once the monument of our weakness, and a bitter legacy to our posterity.'⁴

The Marquis of Anglesey undertook to deal with the question, 'politically, religiously, and militarily.'⁵ His three-fold treatment of the theme remains a melancholy illustration of the short-sightedness of mere human sagacity, especially

¹ Hansard's *P. D.* (second series), vol. xxi. pp. 217, 218, 221.

² *Ibid.* pp. 254, 255. ³ *Ibid.* p. 256. ⁴ *Ibid.* p. 257. ⁵ *Ibid.* p. 258.

when vitiated by a misunderstanding of one of the chief factors in the problem, namely, Popery.

Taking his stand as a 'Politician,' he ventured to prophesy thus:—'I say from the moment you pass this bill, I shall consider the regeneration of Ireland complete.'¹ Alas, bill after bill has since been passed with similar glowing promises, but the regeneration of 'disaffected' Ireland has still to be prayed for! Again, as to the 'Protestant Establishment' there, the Marquis enthusiastically declared 'that the passing of this bill would do more to strengthen it, and will better maintain its security, than all the Penal enactments which the utmost ingenuity of legislation can devise.'² What effect Penal enactments might have had we know not; but history tells us what has been the direct, and might have been seen to be the inevitable issue of the Relief Bill—the Protestant Establishment in Ireland now no longer exists! Turning then to the 'Military' point of view, the Marquis, dwelling on the huge 'garrison' required for Ireland under the present 'exclusive' system, proclaimed:—'That the passing of this bill would be worth more to the British Empire than a hundred thousand bayonets.'³ Again we must reply—Alas, bill after bill has been urged before the Imperial Parliament, on the very same plea, and with the same promises, and still the complaint is that Ireland, at least Roman Catholic Ireland, is only kept from rebellion by the overpowering presence of a British 'garrison!' Political quacks refuse to lay their finger on the sole seat of the disease, which history plainly points out to them, namely, the poison of Popery. Hence all these dismal disappointments, and Britain's deepening despair as to Ireland.

It was now, however, two on the morning of Saturday, and the debate was 'adjourned,'⁴—the House to meet in the afternoon of the same day at ten o'clock. Hard times for the Lords!

¹ Hansard's *P. D.* (second series), vol. xxi. p. 258.

² *Ibid.* p. 259.

³ *Ibid.* p. 260.

⁴ *Ibid.* p. 262.

The Earl of Guildford 'resumed' the adjourned debate. He argued, with great abundance of lore, that the proposed measure was a 'direct violation' of the Bill of Rights, wherein a 'Parliamentary' as well as a 'Royal' security was required against any further conspiracy to undermine the Religion and the Liberties of the people,—a 'perpetual law against the Popish Plot, which even Hume describes as being perpetually carried on against all States.'¹

Dealing with the popular cry that the Roman Catholic Religion had 'changed,' the Earl said :—' So far as regards Oaths, at least, Leo XII., recently deceased, appeals thus to his faithful people on 13th March 1825, in condemning the tenets of the Secret Societies of Carbonari, saying :—" The Fathers of the Council of Lateran have very wisely said that we ought not to consider as an oath, but rather as a perjury, *every promise that has been made to the detriment of the Church and against the rules of its tradition.*" I maintain, therefore, that the doctrines of the Church are not changed.'²

He also maintained that any 'Combination,' whatever it called itself, which assumed a 'jurisdiction adverse to Civil Government,' should be deprived of its influence as 'destructive of liberty ;' and, while 'admitting that obstructions in the river are unfavourable to free navigation, he did not admit as a consequence that all locks were therefore to be removed.'³ They 'deepen' the stream. These very 'restrictions' afford a 'copious flow of liberty for the exercise of all Religions.'

The Earl of Westmoreland, formerly Lord-Lieutenant, 'had had the honour of giving to the people of Ireland all the privileges of the British Constitution, with the exception of these few Offices and of eligibility to seats in Parliament. The latter he had 'always resisted till now ;' his opinions as to 'the consequences which no man could foresee,' were still

¹ Hansard's *P. D.* (second series), vol. xxi. pp. 268, 269.

² *Ibid.* p. 273.

³ *Ibid.* p. 276.

unchanged ; but, 'after hearing the speech from the noble Duke at the head of the Government, and the speech from the Throne, I entertain little doubt of the urgency of this measure.'¹ Such was the blindfold support by which, even amongst the leading men of that day, the Roman Catholic Claims were recklessly conceded. Let them have what they ask, and after us the deluge ! In vain was quoted for their edification one witty saying at least from the narrow brain of George III., on being told that Fox and Pitt were both of the same opinion on some point,—'When Mr. Pitt and Mr. Fox differed in opinion, the one might be right and the other wrong ; but, when they agreed, they were certain to be both wrong !'²

Viscount Sidmouth 'would be no party in consigning the great interests of this country into the hands of those who were *not masters of their own consciences*, their own opinions, and their own conduct ; and who were hostile, sincerely and conscientiously hostile, to the welfare and existence of our Protestant Establishment.'³

Earl Grey, venturing on prediction, came to grief like the rest,—'This measure will remove the causes of discontent and disaffection. It will bind Roman Catholics to the Government of the country. And the power which they will thus obtain, will be used under the influence of a common interest, not against, but for the State, binding together all its subjects in the lasting bonds of union and affection.'⁴ But, despite all their prophesies, we are still crying in the wilderness for this 'union of hearts.' Earl Grey, however, had a right to enjoy his 'personal triumph,'—that the principles of Fox which he had so long supported were 'now about to be acted upon ;' for, since the loss of his own Measure in 1807, he had 'repeatedly declined office,' except on condition of settling this question.⁵ The triumph of such

¹ Hansard's *P. D.* (second series), vol. xxi. p. 281.

² *Ibid.* p. 288.

³ *Ibid.* p. 296.

⁴ *Ibid.* p. 335.

⁵ *Ibid.* p. 347.

a man was legitimate, as his consistency, even if misguided, was refreshing—amid shoals of shameless converts, who sold their votes, and boasted that they had not changed their opinions.

The Earl of Eldon complained 'that the people of this country had been taken by surprise.'¹ He quoted the Duke of Wellington's letter to a Roman Catholic Prelate, so late as December last,—'that Ireland must cease to be in a state of agitation before any such measure could be thought of.' His own discovery, that he differed from the Right Honourable Secretary in the other House, 'brought with it the most excruciating pang that he had ever endured.'²

He reviewed his part in the Acts of 1791 and 1793, both Bills of Relief from 'Penal' Statutes, as also the Scotch Act of 1704,—'for no man had ever argued, or supposed, that the Penal Statutes would be perpetual ;'³ and 'no man breathing could justly charge him with any disinclination to relieve Roman Catholics from these.'⁴

In 1801, he 'took upon himself the duties of Lord Chancellor,' which he had discharged for twenty-five years,—'And it seemed to be now thought a pleasant thing in Parliament to have a dash at the old Chancellor !'⁵ He hoped he might be permitted to add this remark, with a bearing on the 'Military Bill' of 1817, 'that in no part of these discussions had he ever stated his objections to go further than to resist the giving of *Political* power to the Roman Catholics, by bringing them into Parliament, and allowing them to fill the Great Offices of State.'

He held 'that the People were justly attached to the Constitution of 1688, and looked upon it as the foundation and bulwark of their freedom ;'⁶ and then added, in a sentence of humility which carries in it the slightest flavour of scorn,—'Perhaps the state of opinion among the People

¹ Hansard's *P. D.* (second series), vol. xxi. p. 349.

² *Ibid.* p. 350.

³ *Ibid.* p. 353.

⁴ *Ibid.* p. 354.

⁵ *Ibid.* p. 355.

⁶ *Ibid.* p. 357.

might be more manifest to one who, like himself, had risen from the People, the strength and ornament of the Empire, than to most of their Lordships, the proprietors of Hereditary Titles !'¹

Coming to the subject of 'Oath-making and Oath-taking,' Lord Eldon wished to go back beyond Henry and Elizabeth to the Magna Charta itself, 'which distinctly maintains the King's Supremacy as necessary to the protection of the Throne and the People from the encroachments of Papal Authority,' and which at the same time 'grew out of, and was founded upon, those Liberties which were derived from our Saxon ancestors.' For instance, the provision—*Ut Leges Angliae sint Liberae*—was made as much on behalf of the Civil and Religious Liberty of the People of this country, as on behalf of the Crown's Supremacy. It was neither less nor more than a Resolution protecting the Crown from the consequences of having the allegiance of its Subjects transferred to the Papal See.'² He declined to 'sacrifice the Supremacy of the Crown to that of Rome, even in Religion, by giving his assent to this Bill.'³ And, besides, he was 'no friend to passing Acts of Parliament, for reasons that were known only to Ministers themselves,'—and this was his final stroke at the oft-repeated and always implied argument of Peel and Wellington—'If the House only knew what we know !'⁴

Room was thus made for Lord Plunkett, the fiery debater of other days, with whom we became acquainted in in the Commons' House. He had 'anxiously watched the progress of this momentous question for more than thirty years ;' and he now set himself to justify the proposed measure, 'on the ground of its adoption being necessary for the safety, if not the actual existence, of Ireland in connection with Great Britain.'⁵

¹ Hansard's *P. D.* (second series), vol. xxi. p. 357.

³ *Ibid.* p. 364.

⁴ *Ibid.* p. 365.

² *Ibid.* p. 362.

⁵ *Ibid.* p. 366

He pictured Ireland, 'though ruled for the last fifty years by a wise and liberal policy, and enjoying Freedom of Trade and Equality of Civil Rights,' yet, as being 'at that moment in a state of Political danger and disorganisation without a parallel in the history of any other country in Europe;' and then asked, 'Where is the cause?' and answered himself triumphantly, almost defiantly, thus: 'In the Laws!' which again led him to proclaim the one possible remedy,—'Put down the mischief, and correct the Laws which produce it.'¹

Steadily now, my Lord Plunkett,—What is the verdict of experience, the testimony of fact? The Law was altered entirely to your wish; but now again in our generation, as in every generation since, the mischief abounds, and grows apace—Civil commotion striving to enforce concession after concession. History demonstrates that your plumb-line did not sound the bottom of that mischief. *Your remedy has proved utterly futile to satisfy the demands of Roman Catholic Ireland.* What, my Lord, if, after all, your antagonists laid their finger upon the real sore, when they named it—Popery? You yourself seemed stumbling on the true answer, yet missed it by a hair's-breadth, when you described the mischief in Ireland as unlike anything else—'mixing itself in every transaction, obstructing every duty, embarrassing every dealing, poisoning every enjoyment, haunting every movement of business, of obligation, or of social intercourse.'² You, my Lord, ascribed all this to the LAWS; your antagonists ascribed it to POPERY; which does history demonstrate to have been correct? Alas, for the brilliant analysis! alas, for the epigrammatic criticism! The concessions demanded by Lord Plunkett were all made, and more. Two generations have passed by; but the same discords and miseries still cry aloud from the same or similar parties in Ireland. And the same stimulants, which he described, and still of 'the most powerful brand,' are still

¹ Hansard's *P. D.* (second series), vol. xxi. p. 368. ² *Ibid.* pp. 369, 370.

being plentifully poured into the bosoms of Irish Roman Catholics; they are still being taught to cherish 'resentment for insult to their persons and for insult to their Religion.'¹ The simple historical fact being this, which it is mere fatuity in Lord or in Commoner to blink, that Roman Catholics still regard themselves as 'insulted,' and will continue to do so, whilst a single law on the Statute-Book of the Empire proclaims that Britain is a Protestant Nation. History will yet burn this lesson in, however politicians may blink it.

Passing on to another subject, Lord Plunkett, with still greater fatuity, reasoned thus,—'Every Roman Catholic knows that the Protestant Establishment in Ireland is indissolubly bound up with the Establishment in England; and that neither the Church of England, nor the Government of England, will ever permit the Protestant Church of Ireland to be subverted—*extravagant notions*, which could not be accomplished without heaving the British Empire from its centre!'² By talk such as this, on every sentence of which history has already written—'false to facts'—men like Lord Plunkett deceived themselves, and then became the eloquent instruments of deceiving others. Yes,—'every Roman Catholic knows,' and smiles at befooled Protestants helping to forward their unaltered and unalterable plans.

A long and learned speech on 'the principles of the Reformation and Revolution which this measure was charged with subverting,' wound up with Lord Plunkett's solemn, yet utterly ridiculous assurance,—'I do in my conscience believe that this bill will satisfy the Roman Catholics, because I am sure it ought to satisfy them!'³

Lord Farnham attempted to make a few inaudible remarks, amid loud cries of 'Question! Question!'⁴ the House impatiently desiring to vote. The Duke of Wellington closed the debate in great spirits. He boasted 'that there

¹ Hansard's *P. D.* (second series), vol. xxi. p. 371.

² *Ibid.* p. 377.

³ *Ibid.* p. 387.

⁴ *Ibid.* p. 389.

had now been for some time complete tranquillity in Ireland.' The wizard had, for his own purposes, driven back the demon-spirit for a season into his cell, and this was innocently called 'tranquillity.' The apprehension of 'danger to the Church of Ireland' was brusquely denounced as 'clearly puerile.' The Duke declared it to be 'impossible, without destroying the Union of the countries.'¹ Maybe, yet it has happened all the same! But halt—the other alternative may come too, the destroying of the Union. History moves slowly. The full fruitage of Parliamentary action ripens not in one but in many seasons. Nations count their growth not by brief years, but by slowly-stepping generations.

He boasted, also, of the other measure, the collateral 'Disfranchisement' Bill,—'That it would obviously affect the influence of the Priesthood in Elections.'² This was the master-stroke in the esteem of Wellington and Peel. They were 'dishing' the Priests. Without this, 'nothing on earth' would have moved either of them to grant Emancipation. Oh, short-sighted Statesmen! Oh, the supreme lack of wisdom by which, in great epochs, Nations are sometimes swayed! At this very day while I write, in 1892, the Priests of Ireland can settle almost any election in any Roman Catholic constituency,—*wheresoever they think it worth while to exert their influence!* It has always been so. It always must continue to be so,—at least amongst sincere and conscientious Roman Catholics.

Wellington, however, vindicated himself, first, from the charge of inconsistency—'he knew that he was sacrificing his popularity to what he felt to be his duty;' next, from the charge of great secrecy—'he knew the precise day on which he had leave from the highest Personage to open his mouth;'³ and, finally, from the charge of misconduct in not

¹ Hansard's *P. D.* (second series), vol. xxi. p. 390.

² *Ibid.* p. 390.

³ *Ibid.* p. 391.

at once dissolving—‘he knew, as they did not know, the state of Ireland, and would have been wanting in duty to his Sovereign and his Country, if he had advised a dissolution.’¹

Several noble Lords wished to offer ‘explanations.’ Others loudly called, ‘Order! Order!’ The House was drowned with shouts of ‘Divide! Divide!’ The contents were 147 votes, *plus* 70 proxies; non-contents 79, *plus* 33. So the second reading was carried by 217 against 112, a majority of 105 in favour of the bill. And the House dispersed amid ‘loud and repeated cheers.’²

SECTION IX

Committee-Stage and Third Reading in the Lords.

ON Monday, 6th April, the Lords were largely occupied with Petitions ‘for’ and ‘against’ the Relief Bill, and with the passing of the ‘Qualification of Freeholders’ Bill, which was carried by a majority of 122; and which the old Earl of Eldon stigmatised as ‘a sort of hush-money to pass the Relief Bill.’³ On Tuesday, April 7th, before the House went into Committee, he presented forty fresh Petitions, and remarked that, altogether, ‘808 Petitions against this measure had already passed through his hands alone.’⁴

The Committee-stage must not, and need not, detain us. The debates were lengthy and keen. But every ‘amendment’ was either withdrawn or effectively negatived, and the bill passed through this ordeal practically unchanged.

The Duke of Wellington reinforced ‘the reasons he had before urged—the safety and the honour of the State; the first of which might be sacrificed if the Government took no step;’⁵ and the second compromised, if coercive measures

¹ Hansard’s *P. D.* (second series), vol. xxi. p. 392.

³ *Ibid.* p. 441.

⁴ *Ibid.* p. 470.

² *Ibid.* p. 394.

⁵ *Ibid.* p. 481.

were not adopted to put down that body which had become dangerous—the Catholic Association.’

Lord Kenyon, ‘strongly disapproving of the measure and of the manner in which it had been brought forward, blamed every Government for the last five-and-twenty years for not duly maintaining the power of the laws in that Country; and the greatest blame was imputable to the present Government for making their own misconduct the plea for forcing such a measure as the present on this Country, contrary to the declared will of the great mass of the Protestants of Great Britain.’¹

The Earl of Eldon said,—‘There was a Right Reverend Prelate, a Regius Professor (Dr. Copleston of Llandaff), who held the other evening that the profession of the Roman Catholic Religion was not “idolatrous,”—though every Bishop of the Church of England had declared in this House, since the time of Charles II., that Religion to be “idolatrous.”’² The Bishop of Oxford replied,—‘I do not admit that Roman Catholics are idolaters, when I admit that there are some practices in the ceremonies of their Religion which are idolatrous.’³ But Lord Tenterden ‘still thought, though forty years had passed since he was a tiro in logic, that the performance of an idolatrous ceremony was idolatry.’⁴

Lord Mountcashel proposed an amendment ‘to exclude from the House of Peers such Roman Catholic Temporal Peers as shall happen to be Bishops or Cardinals, or in Holy Orders in the Romish Church.’⁵ But the Duke insisted ‘that, in this respect, the case of Protestants and Catholics must be identical;’ while Lord Plunkett pointed out ‘that there was a Peer in that House already who had taken Holy Orders in the Church of England, the Earl of Guildford.’⁶

The House again sat in Committee on Wednesday. Lord

¹ Hansard's *P. D.* (second series), vol. xxi. p. 496.

² *Ibid.* p. 502.

³ *Ibid.* p. 506.

⁴ *Ibid.* p. 511.

⁵ *Ibid.* p. 518.

⁶ *Ibid.* p. 519.

Kenyon moved 'to exclude a Roman Catholic Peer, being a Priest,' on the 'ground that no Roman Catholic Bishop, taking the Oath of a Bishop of his own Church, could take the Oath of this Bill without perjury ;' but all attempts to carry amendments were in vain.¹

Lord Farnham moved 'that, as Roman Catholics in Scotland were excluded by an Act of Parliament, and not simply by an Oath, the Oath now in force should still be administered at the Election of Representative Peers in Scotland, or at being so elected.'² But the then Earl of Rosebery replied, 'that the representative opinion of Scotland did not consider this as a violation of the Act of Union. Of 45 in the other House, only 5 had voted against the bill ; and, of the 16 Representatives Peers in this House, only 4 ; of the 31 Scottish Peers, who were also British, only 3.' And the Earl of Had-dington added, 'that there were only 2 Roman Catholic Peers in Scotland, and only 18 or 20 Roman Catholic Freeholders.'³

On a proposal to 'except' also the principal Offices in the Cabinet, Lord Holland replied, and explained 'that Offices were not excepted in the bill on political grounds ; but because, in their nature, they partook something of the Supremacy of the Crown, or, as in the case of the Lord Chancellor, because of the extensive right of Church Patronage, which belonged to the office.'⁴

As to the clause about the Ecclesiastical Titles, 'assumed by the Roman Catholic Clergy,' the Duke of Wellington bluntly admitted that it was *no security*, but argued 'that it would give satisfaction to the United Church of England and Ireland'—a surely childish, not to say insulting, utterance !⁵

The clause for the 'suppression of Jesuits' was likewise treated in a quite perfunctory manner—the Earl of Malmes-

¹ Hansard's *P. D.* (second series), vol. xxi. p. 539.

² *Ibid.* p. 542.

³ *Ibid.* pp. 543, 550.

⁴ *Ibid.* p. 550.

⁵ *Ibid.* p. 560.

bury mockingly intimating 'that he could not form the abstract idea of a Jesuit, and would be glad to know by what sign a Jesuit was to be discovered!'¹

But the discussion descended more and more into mere dumb-show, and clauses upon clauses, without amendment and without debate, were hurriedly rushed through.

On Friday, April 10th, the House was again busily occupied with Petitions 'for' and 'against.' Lord Eldon presented one from Liverpool 'against further concessions,' so 'bulky' that he could not lift it, remarking, as to the contrary petition from the same town,—'It might again be said of him, as in a morning paper, that he was fighting 'in muffled gloves;' and he could assure their Lordships that he did not mean to take these gloves off, unless he was compelled to do so.'² Upon Lord Goderich replying 'that no conduct or expression of his was likely to draw off the muffled gloves; and that this other petition represented 22,000 of the most respectable merchants and inhabitants,'—the old Earl, regarding that as a stab at the respectability of his petitioners, and scoffing at the custom of disparaging all who happened to petition on the other side from your own, ironically retorted 'that, after presenting 900 petitions, he had apparently not been fortunate enough to sign one that had been presented by an individual of common sense! Yet the petitions could not contain less than one million names. He was told that "all the talents" of Liverpool were against him. But he remembered a time when he belonged to a party that was opposed by "all the talents" in Parliament. And "all the talents" were beaten by those who were said to have none!'³

The debate on the 'third reading of the Roman Catholic Relief Bill' then came on.⁴ The result was a foregone conclusion. It was difficult then, it is more difficult now, to feel

¹ Hansard's *P. D.* (second series), vol. xxi. p. 564.

² *Ibid.* p. 614.

³ *Ibid.* pp. 616-617.

⁴ *Ibid.* p. 619.

any enthusiasm about the speeches. But there was one exception, and on it we must linger, as the final and finished testimony of the opponents of this measure.

After the Marquis of Camden, who withdrew from office along with Pitt on this question in 1801, had 'cordially approved,' and Viscount Grenville, who had also retired from a subordinate office at the same time, had 'heartily rejoiced' in the measure now at last introduced by the Government,¹—the venerable Ex-Chancellor Eldon, with his 'gloves off,' at length entered upon his final tussle with magnificent spirit and skill, against alike his recent and his life-long Political opponents. This was 'probably the last time he would ever have to address their Lordships.' For 'five-and-twenty years, in the discharge of a conscientious duty, he had opposed all measures of this nature;' and, admitting 'that consistency in error was one of the greatest blots that could attach to a statesman,' he had considered this question 'over and over again, in every point of view, and after all he would say,—So help him, God!—he would rather perish that moment than give his assent to the bill.'²

Referring to his 'difference of opinion' from Pitt,—'one of the greatest statesmen who had ever adorned this country,' and his grief on finding that he differed from him on this, the only point on which they differed at all, the Earl asked,—'But had he differed from him in the same way as he differed from those who introduced this bill? Had Pitt ever attempted to introduce a measure of this kind against the sense of the people of England, and without securities? No. His advocacy proceeded upon a different principle, as witness the correspondence between Pitt and his late Majesty.'³

Once more he reaffirmed that he had reviewed all his convictions most carefully, and now declared, 'as he hoped

¹ Hansard's *P. D.* (second series), vol. xxi. p. 620.

² *Ibid.* pp. 622, 623.

³ *Ibid.* pp. 624, 625.

for mercy hereafter, and for the good opinion of his countrymen,' that he thought this bill 'the most dangerous that had ever been presented to the consideration of Parliament.'¹ It were easy to jeer at this as an old man's exaggeration; but it may be worth while to suspend our judgment, till posterity, face to face with *the final issues* of this measure, and wrestling again in life and death grips with Popery, as at the crisis of 1688, pronounces its verdict upon those who admitted within the citadel of the Constitution the avowed enemies of Protestant Liberty and Religion.

Referring to 'the great change in one year amongst their Lordships, from a majority of 45 against to a majority of 105 in favour' (but the subject was a sore one—'there was great noise below the Bar, and the Speaker was badly heard,' says the *Chronicler*), Lord Eldon asked, 'how could that majority be accounted for?' and keenly replied, 'All that he had heard as a ground of change was to this effect,—If you knew what we know, you would vote as we do!'²

On another branch of the subject, his Lordship said 'that the Irish Catholic Priest had acted in direct opposition to the laws, by assuming the titles of Protestant Archbishops and Bishops.' But it was maintained by some 'that they took the titles without exercising, or seeking to exercise, any jurisdiction.' What, then, was the fact, for instance, 'with reference to Marriage? If a Civil contract, as said by some noble Lords, then were the Priests not interfering in Civil and Temporal matters by interfering with the law of the land in regard to it? If the contract be partly Civil and partly Religious, as he had always held, what said the Roman Catholic Priest with his so-called Spiritual Power? The Law said,—They should marry within certain degrees; the Priest said,—No such thing, unless by a special dispensation from themselves and the Pope.'³

¹ Hansard's *P. D.* (second series), vol. xxi. p. 625.

² *Ibid.* pp. 627, 628.

³ *Ibid.* pp. 629, 630.

Further, Lord Eldon contended 'that it was impossible to deny that there was at present exercised in Ireland a Foreign Jurisdiction, as to matters of the highest import with regard to the Sovereignty of the great personage who sat on the throne of England, and to whom he owed undivided allegiance.' He claimed leave on that subject to refer to the opinion of Lord Coke—'though aware that their Lordships did not like references to law-books, particularly in those days of classification and codification about to make a lawyer no longer one of those animals whom a noble Lord described last year as "book-read blockheads!"' Lord Coke proved to a demonstration 'that the Supremacy of the Crown in Religious matters was not *first* established in the turbulent times of Henry and Elizabeth, but existed in the Saxon times, and was maintained with the utmost firmness.'¹

Turning, then, to the 'Suppression Bill,' his Lordship argued, and every year of our history since has proved his argument true,—'The Bill for suppressing the Roman Catholic Association in Ireland would have no more effect in preventing the revival of that Association, than it would have in preventing a common riot in the country. The Association had dissolved itself. But no noble Lord had ventured to contradict the statement that the coffers of that Association were still daily filling with the "Rent." He understood that a Member of the House of Commons had once committed the extravagance of quoting Greek! He would not go so far, but would state to their Lordships a passage from Demosthenes in English, which would very well apply to the Catholic Association,—"Is Philip dead? No! Philip is not dead; but you may depend on it, if he were, we should very soon raise up to ourselves another Philip!"'² It is absolutely and literally the case that Irish Catholics have continued to 'combine' and to 'agitate,' under one name or another, for their own ulterior and

¹ Hansard's *P. D.* (second series), vol. xxi. p. 631.

² *Ibid.* p. 631.

separate 'interests,' and are doing so to this day—using their seats in Parliament as the fulcrum, and intimidation in Ireland as the lever, by which every concession is yet to be obtained, as was the case in the crucial, 1829.

Nor could the Nation, and especially the Peel-Wellington Cabinet, plead ignorance of those 'ultimate designs;' for Lord Eldon reminded them of a pastoral by Dr. Doyle, 'in which that reverend person declared to the world that matters never would be set right, until there was a *Roman Catholic King and a Roman Catholic Legislature*.'¹ No man can blame the Papist for saying so and acting accordingly;—from his point of view, nothing else could be consistently expected. But the blame lay on those who went about protesting that Roman Catholics had 'no such purposes,' and that, if only they were admitted into Parliament, they would prove a 'great defence' to our Protestant establishments. Theirs was the folly, the criminal delusion.

Still further grappling with the measure, as it bore on the Constitution, Lord Eldon continued his argument thus: 'As to the settlement of 1688, he really did not know what formed the Constitution of the country, unless those established laws, which were stated to be "Fundamental Laws,"² formed the Constitution. He begged their Lordships to look at what he might call the Compact between King William and the People of this country, to look at the Bill of Rights, the very first clause of which declared that this was to be a "Protestant" Kingdom; and then to tell him how this was to continue a Protestant Kingdom, if they acted on a principle which would destroy its character as a Protestant Kingdom.'

Trying to calculate the effects of this measure, Lord Eldon continued,—'My own opinion is that the Church of Ireland cannot survive it.'³ Those with whom we deal are

¹ Hansard's *P. D.* (second series), vol. xxi. p. 633.

² *Ibid.* p. 634.

³ *Ibid.* p. 638.

‘much too wary to apprise us, by any immediate conduct, of our danger. But that they will triumph, not to-day, nor to-morrow, but when I have been consigned to the urns and sepulchres of Mortality, I have no more doubt than that I now stand here!’¹ The sagacity of this forecast, based on principles and on the history of the past, has, so far as regards the Protestant Church in Ireland, been long since verified. And what if the evolution of history is steadily bringing about its complete fulfilment?

The sincerity at least of the old Chancellor’s convictions was beyond all fair dispute; and scarcely needed the particularly solemn asseveration, with which he closed this the last of his many testimonies on Popish *versus* Protestant Claims in Britain,—‘I do declare, my Lords, that I would rather hear at this moment that to-morrow morning I was to cease to exist . . . than awake to the reflection that I had consented to an Act which had stamped me as a violator of my solemn oath, a traitor to my Church, and a traitor to the Constitution.’²

The Duke of Newcastle ‘denied that any expediency for the measure had been proved to exist, much less necessity;’ and declared ‘that the reasons given by the noble Duke were so trifling that they were perfectly trumpery.’³

On the other hand, the Bishop of Lichfield, Dr. Ryder, maintained ‘that the benefits of the bill would soon be seen in the increased number of Protestants in Ireland, the increased number of children that would have recourse to Protestant Schools, and the diminished influence of the Roman Catholic Priesthood!’⁴ How grotesque these illusions sound now, when history has given the lie direct to every one of them, and shown, in the most exaggerated form, exactly the opposite results! Yet for insane ex-

¹ Hansard’s *P. D.* (second series), vol. xxi. p. 639.

³ *Ibid.* p. 663.

² *Ibid.* p. 640.

⁴ *Ibid.* p. 669.

pectations like these—calculations on the basis of leaving out the principal factor, the spirit of Popery—men by the score sold their votes against their own deepest convictions.

Every speaker who rose was now saluted with loud cries of ‘Question! Question!’¹ Lord Redesdale condensed into a few sentences the resultant convictions of a life-long dealing with such problems, but the Chronicler says ‘he was for the most part inaudible.’ What was heard is presented to us thus, and looks like wisdom at the bar of history,—‘You will create *a contest for Civil Power* between the Catholics and the Protestants of the United Kingdom. In Ireland, the balance of physical power is in favour of the Catholics; and that power, I am inclined to think, will be exercised greatly to the prejudice of a Protestant Government.’² Further,—‘I am inclined to think that the danger, which will arise in Ireland, will be owing to *the great influence which the Catholic Priesthood hold* over the minds of their people.’ And, finally,—‘I do think that *the disposition of the Catholics* is such that they will not rest content with the power which this measure will give them; as long as more remains to be obtained, they will not rest quiet.’³

The Marquis of Lansdowne was glowing bright with ‘the hues and hopes’ that were now attending the Government of Ireland. He quoted Mr. Knox, Member for the University of Dublin, as having ‘predicted the absolute necessity of this measure as far back as 1793,—“I am told that the Catholic is satisfied; my answer is, the Constitution is not satisfied.” Then the Marquis added,—“At length the Constitution is to be satisfied!”’⁴ Had he lived to-day, he might have varied the tune thus,—‘The Constitution has been satisfied by the Relief Bill; but, alas, Roman Catholic Ireland is far as ever from being satisfied!’

¹ Hansard’s *P. D.* (second series), vol. xxi. p. 678.

² *Ibid.* p. 679.

³ *Ibid.* p. 681.

⁴ *Ibid.* p. 682.

Turning to congratulatory themes, 'he rejoiced to see the Venerable and Right Reverend Bishop of Norwich here, after thirty years of advocacy, to assist in this final solemnity;' he recalled also the 'name of Bishop Heber, a man in other days best entitled to the name and character of Christian pastor—he had almost said Christian martyr;' nor, amongst the Clergy of the Church of Scotland, 'could he avoid alluding to Dr. Chalmers, as remarkable for the extraordinary powers of his mind, as estimable for his whole character and conduct.' And the consolation he drew from these names was this:—'That under the protection of these authorities, and with the countenance of such men, there could be no fear that the support of this question could be made the pretence for a charge of want of attachment to both Churches.'¹

Finally, the Marquis trusted that 'their triumphant vote would place the two countries in a state of security, such as they had not hitherto enjoyed, and carry into effect the Union, which now only subsisted in name, between the two parts of the Empire.' Once more, Fate dogs the heels of the political prophet, who has left alike God and Satan out of his calculation, and who reads only on the surface of things. To-day we are still being driven to the brink of revolution, to bring about a 'real' Union—a 'Union of Hearts,'—instead of a mere 'paper' Union; and the claims have risen with every decade, and are proportionate to every concession that has since been made. O ye political seers, *there is something deeper than your policy of unprincipled conciliation can ever cure*; there is something in the heart, and Time will yet force all men, in folly or in wisdom, to recognise that fact. Pray that then it may not be too late for the weal of the Empire.

The Duke of Wellington at last rose to close up this fateful chapter of our history. He 'positively denied the

¹ Hansard's *P. D.* (second series), vol. xxi. p. 685.

charge that the public were taken by surprise' by this measure. But he could only vindicate himself by the rather lame asseveration—'that they were informed of the nature of this measure at the earliest possible period, namely, by the King's Speech!' He made also a somewhat disingenuous use, for so brave and simple a man, of another fact:—'The nearly 2000 petitions on your table demonstrate my assertion that the public have not been taken by surprise.'¹ May be so, candid men will reply; but neither People's petitions nor King's speeches can change the fact, that the Peel-Wellington championship of Protestant *versus* Popish proposals held the field till the very day that Parliament was opened; and that the 'surprise' consisted in their suddenly going over to the other side and becoming champions of the Roman Catholic Claims. The fact may be explained, but can by no possibility be explained away.

The Duke's next argument was this:—'My Lords, the Acts of 25th and 30th of Charles II. were passed, not on account of dangers to the Protestant Establishments of this country from the concession of liberty to Papists, but on account of dangers arising from the prospect of a Popish Sovereign and a Popish Successor.' And then he triumphantly asked,—'Is there any danger of a Popish Sovereign or a Popish Successor now?'² One reads this with endless amazement—to think that a man so strong in fence, but so weak in logic, should have had the influence on a great debating assembly which the Duke so conspicuously exercised. *The dangers*, that may arise from a Popish Sovereign or a Popish Successor, once so grievously exhibited in the Stuart reaction, *may, at any moment, in any turn of our history, again be manifested*. Shall the Nation then be compelled to travel back, perchance through blood and revolution, to the security which the Duke and his supporters lightly threw away,—confessedly the only security adequate

¹ Hansard's *P. D.* (second series), vol. xxi. p. 689.

² *Ibid.* p. 690.

to meet the danger, whensoever it may arise, namely, 'the exclusion of Roman Catholics from political power in a Protestant country?' We must travel on, and wait till history spells out the answer a second time in the destiny of Britain.

The Duke, also, pledged his word and honour as a statesman 'that from this measure *no possible danger* could accrue to the Establishment in Ireland.'¹ The succeeding decades have blown the pledge to pieces; though he again and again declared that all possible dangers had better have been faced, than enter on any path that would 'tend to weaken or overthrow the Protestant Establishment.'

Still further, 'he was satisfied that this measure would do much at the present, and that in the long run it would effect *all* that the most sanguine amongst them could possibly expect or desire.'² Nevertheless, clamorous voices from the discontented, that is, the Roman Catholic Provinces of Ireland, have risen louder and louder ever since; and to-day they drown the Duke's forecasts in floods of rage and abuse, not only against everything Protestant, but against everything British—to them the unendurable symbols of a 'foreign' yoke.

In vain was the Duke's scarcely veiled threat to the abettors of the Papal Cause—they can afford to bide their time—when he exclaimed in closing, 'If not'—that is, if the results were the opposite, and disorder returned—'I and my colleagues, the responsible advisers of the Crown, will come down to Parliament and ask your Lordships to adopt other measures that may tend more effectually to the security, the prosperity, and the happiness of Ireland.'³

But what if, the next time that the Roman Catholics Claims become rampant, a great Minister then comes forward and uses the Duke's own example, and his very arguments, to prove that these claims must either be con-

¹ Hansard's *P. D.* (second series), vol. xxi. p. 690.

² *Ibid.*, p. 692.

³ *Ibid.*, p. 692.

ceded, or that we must face Civil War? That things will again come to that pass, some day, seems as certain as history can prove anything to be. The Duke will not be there to stand in the breach, which he himself helped to make in the walls of our Protestant citadel; and who knows that any one, after the Duke's fatal example of yielding, will feel called upon to dare that other and more perilous task.

Not less vain, therefore, was his parting hope,—‘that ere long we should behold the beneficial effects of this measure in the establishment of the peace, the happiness, and the prosperity of a United Empire!’¹ Peace, a certain temporary truce, there may have been—for the Duke's few remaining years—whilst the Papal Irreconcilables were getting their hands into practice with this new and unwonted power of legislating for a Protestant country; but it was at the best only a hollow peace, as the records of stormy Parliaments will immediately show. And as for ‘the happiness, the prosperity, and the United Empire,’ Roman Catholic Ireland is at this day, on its own showing, ‘miserable and unfortunate and disordered,’ and means to remain so till it attains certain ‘ulterior objects’—a relief such as the Peel-Wellington Bill and its promoters would have cursed as deadly treason, namely, *relief from British Government altogether*, which is hated as a Protestant tyranny.

Impartial students must frankly allow that, by whatever means Wellington and Peel carried through this famous and far-reaching measure, it certainly was not by the force of logic, nor by appeals to enlightened reason, nor by any practical wisdom on which the succeeding events of history have set an approving seal. Yet, when the vote was taken, the majority reached the substantial figure of 104,—the contents numbering 213,² that is, 149 votes *plus* 64 proxies, and the non-contents in all 109, that is, 76 votes *plus* 33 proxies. And so the Roman Catholic Relief Bill of 1829 only waited

¹ Hansard's *P. D.* (second series), vol. xxi. p. 693.

² *Ibid.* p. 694.

for the Royal signature to transform it into an Act of the Imperial Parliament of Great Britain and Ireland.

SECTION X

Omens and Lessons

THAT vote was taken on Friday, April 10th, and it must have been regarded by many as a sinister omen that, on the 1st May following, a 'Petition for the Repeal of the Irish Church Establishment'¹ was laid upon the table of the House of Commons and ordered to be printed. It was presented by Mr. Denison, and signed by William Cobbett at Barn Elms, Surrey; and, as type and precursor of many things to follow, we must glance at it in passing.

This petition proceeded on the unquestionable postulate 'that a Church which was by law established might be by law repealed.' It asserted, rather more questionably, 'that until 1547 the Catholic Religion was the only religion known in Ireland.' It described an 'enormously rich Established Church nearly without flocks, on the one hand; and, on the other, an almost mendicant Priesthood with flocks comprising the main part of the population.' It affirmed 'that, at the end of two hundred and seventy-six years, the Protestants were decreasing; that there were in Ireland 3403 parishes, moulded into five hundred and fifteen livings, each Parson on an average having the tithes and glebes of nine parishes; that the tithes were collected by Military force, and often with bloodshed; and that from this Establishment sprang all the discontents, all the troubles, all the poverty, and all the degradation of Ireland.' The petitioner, therefore, prayed for the passing of a law 'to repeal, abrogate, abolish, and render utterly frustrate, and of no effect, the Protestant Church now established by law in Ireland.'²

¹ Hansard's *P. D.* (second series), vol. xxi. p. 906.

² *Ibid.* p. 913.

Now, for the sake of argument, granting that this 'Alien' Church had been all, and worse than all, he painted her, we have this question to ask, What would William Cobbett say now, if he rose up and saw Ireland, at least Roman Catholic Ireland, still bemoaning what it calls its 'degradation'—with all its poverty, all its discontents, all its troubles, still around its neck and crushing its heart, though the hated 'Protestant Establishment' has years and years ago been 'abolished and repealed'? Would he at last be constrained to listen to the voices of infallible history, when they affirm again and again that Popery is the disease of Ireland, and that, unless that can be effectually healed, all the other remedies will be proved abortive, which Protestant Liberty and Protestant Religion can devise. This petition, however, deserves preservation here, as enforcing from another point of view what all the proceeding debates had already irresistibly borne in upon our minds.

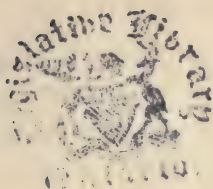
But we may now hasten to the close of this long-drawn controversial agony. On Wednesday, 24th June 1829, the King's Speech, proroguing the third session of the Eighth Imperial Parliament, was delivered to both Houses by Lord Chancellor Lyndhurst. It contains one paragraph which constitutes the proper finish to this Parliamentary history of the Relief Bill of 1829, and which we quote here in full:—'His Majesty has commanded us, in conclusion, to express the sincere hope of his Majesty, that the important measures, which have been adopted by Parliament in the course of the present session, may tend, under the blessing of Divine Providence, to establish the tranquillity and improve the condition of Ireland; and that, by strengthening the bonds of union between the several parts of this great Empire, they may consolidate and augment its power, and promote the happiness of his people.'¹

A very pious hope, and very piously expressed; but to

¹ Hansard's *P. D.* (second series), vol. xxi. p. 1832.

'establish tranquillity' in Ireland, and to 'improve the condition' of Ireland, and to 'strengthen the bonds' of the Union—these fruits at least, whatever else may have flowed, these at least have *not* flowed from the Relief Bill of 1829! To-day, in 1892, Roman Catholic Ireland is still demanding other and larger and more fatal concessions from Protestant Britain; and again under the threat of something very like Civil War. But if, or when, these also were granted, the tranquillising of Ireland would remain as far off a dream as ever, unless and until Popery be once more crowned and throned in Ireland, as the prelude to its final struggle for being again crowned and throned in the United Kingdom.

Patriots and Protestants had better learn this lesson once for all, and that as soon as they possibly can,—that all concession to Popery is vain, or worse, if they are not prepared in the long run to concede everything to Papal Claims. If British History has not proved this to a demonstration, then nothing in the whole range of human experience can be regarded as proved.



CHAPTER VII

THE SAPPING AND MINING PROCESS SINCE 1829

A.D. 1830—1892

WE have reached the closing chapter of our History. According to the plan of this work, a few pages only can be allotted to these scenes; but they cover more than sixty years, and would require a whole volume to do them justice. They show the immediate fruits that have been reaped from the tree planted in 1829,—the direct and instant consequences of the admission of Roman Catholics to Parliament and to places of trust and power within this Protestant Empire. But they indicate also the rise of other movements and other claims, promoted or abetted by the Papacy, the full consequences of which within this realm another age shall show and another historian must describe.

So that this chapter may be regarded *either* as the closing page of the Modern Reaction, completing the story of the Emancipation Movement and the Relief Bill, *or* as the opening page of the new era in our history when Popery and Protestantism shall once more wrestle in deadly grips for the Supremacy in Britain, knowing that that ultimately means the Supremacy of the world. In view of that final and inevitable struggle, no man that loves his country and prizes religious and civil freedom can do any better service for his countrymen than that which we here resolutely seek to perform,—so to portray the history of the past as to make its true lessons the heritage of all the future.

SECTION I

The Main Themes of Conflict

THE ball opens without a moment's delay. In the very first session of Parliament after the passing of the Relief Bill, Sir John Newport, the most venerable of all living advocates of Roman Catholic Claims, began the attack upon the IRISH CHURCH. He protested, of course, that he had 'no wish to impair, but rather to support that Establishment.'¹ All the same, on the 4th March 1830, he moved for an Address to his Majesty on the 'Re-apportionment of the Revenues of the Church of Ireland.' Sir R. H. Inglis ironically remarked that, in past times, the withholding of the Roman Catholic political claims 'had always been blamed for all the evils of Ireland,' and that they might wait for a season to see what 'improvement' the granting of them would now bring!² And Peel, startled a little by the spirit which he himself had evoked, protested that he would 'resist all attempts upon the revenues of that Church;' but inconsequently added that he 'favoured the motion in the interests of the Church itself.'³ Lord F. Leveson-Gower's amended motion was finally agreed to, and the Address was 'ordered to be presented by such honourable gentlemen as were Members of the Privy Council.'⁴ The first blow was thus struck, and struck by 'friends,' in the vain and illusive hope of appeasing implacable foes.

Eighteen days elapse, and the next blow falls, with even still more staggering effect. Daniel O'Connell then presented a petition from the City of Drogheda, praying for 'the Repeal of the ACT OF UNION.'⁵ Sir Charles Wetherell indignantly retorted:—'That this was no party question, but

¹ Hansard's *P. D.* (second series), vol. xxii. p. 1265.² *Ibid.* p. 1275.³ *Ibid.* p. 1285.⁴ *Ibid.* p. 1292.⁵ *Ibid.* vol. xxiii. p. 701.

a violation of Constitutional law, which no man could gainsay who was not an enemy and a traitor to his country.' But Sir M. W. Ridley wisely interposed 'that the Union was an Act of the Legislature, which the Legislature therefore might repeal.'¹ Peel, on the other hand, was 'not surprised at the doubts expressed about receiving a petition in support of a project so mad and so absurd;' and, while not refusing it, 'he could not find terms strong enough to express his reprobation of the prayer of that petition, and his strong disgust at the renewal of attempts to disturb the minds of the more ignorant among the people.'² For his part, O'Connell 'did not see any reason for depriving the Irish of a separate Legislature, any more than Canada, Halifax, or Jamaica, where independent representatives were permitted to deliberate on the local interests of the people.'³ Was he a prophet of Home Rule, as yet unborn, when he thereon proclaimed his belief 'that the day was not far distant when the friends of Ireland and of England would unite in their consent to the Repeal of the Union, and that it would be hailed as an advantage by the best friends of both countries?'⁴ Mr. W. H. Trant, on the other hand, thought 'it was time for the Protestants of Ireland to be moving for the Repeal of the Act of 1829, to prevent their being turned over bound hand and foot to the Roman Catholic population of that country.'⁵

At a glance, and in a single flash, we see here *the whole moving force of the agitation for Repeal*. Now that Roman Catholics had seats in the Legislature, what was more desirable, from their point of view, than to have their own Parliament in Ireland restored to them? Nothing then could prevent the complete and absolute triumph of their cause. Priest and Layman passionately longed for that happy day! Peel asked the honourable and learned

¹ Hansard's *P. D.* (second series), vol. xxiii. p. 702.

² *Ibid.* p. 704.

⁴ *Ibid.* p. 704.

² *Ibid.* p. 703.

⁵ *Ibid.* p. 706.

Member for Clare 'if the names had not been signed in a moment of conviviality, rather than in a serious meeting of freeholders? For example, there was the name of "Paddy Bray," followed by that of "Billy Powder Bray." But O'Connell assured him, with as grave a face as the occasion would allow, 'that these were the names of the registered freeholders of the town!'¹

It may not be out of place to remark here that thus the two main themes of conflict are already hurled into the arena, within twelve months after the Relief Act had received the Royal Assent,—one pertaining to the Church, the other to the State. Long since, as our history will in due course show, the former question has been settled,—the Irish Church Establishment has 'ceased to exist.' As to the latter, the open cry for 'Repeal of the Union' has been transformed into the more subtle demand for 'Home Rule;' but the historian of a later day must be left to record the verdict of posterity in the light of facts yet to be, whether the allegation of opponents be or be not well-founded,—that Home Rule, if ever granted, will prove itself to be in reality Rome Rule, and find its true goal in Repeal of the Union, in separation from Protestant Britain. We are not, however, writing a partisan pamphlet, but a History; and it is not our function to forecast issues, but to portray events, and indicate the abiding principles that regulate all times.

Before the month of May, in the same year 1830, Sir John Newport and his supporters have waxed a little bolder, and challenge the vote of the House on a proposal to 'transfer the First Fruits in Ireland from the Church to the Crown for public uses.' They lost, by a majority of 25; but they show to us unmistakably the drift of the battle and against what the Roman Catholic strength is being marshalled.²

¹ Hansard's *P. D.* (second series), vol. xxiii. p. 707.

² *Ibid.* vol. xxiv. p. 858.

In June, however, we meet a current that sets in from the other side. Petitions are more than once 'presented from our soldiers,' complaining 'that they were obliged to pay homage to superstitious and idolatrous ceremonies, and to attend at the processions in Roman Catholic countries where they were stationed ;'¹ and praying that at least 'the same indulgence which was extended to Roman Catholic soldiers, of not being obliged to attend at any place of worship but their own, might also be extended to Protestant soldiers.' Two officers had been dismissed 'for refusing to attend processions which they regarded as idolatrous.'² Sir George Murray explained 'that the attendance was confined merely to a Military duty.' But Mr. Trant keenly retorted 'that it was a violation of the rights of conscience ;' and scornfully asked,—'Was it not absurd and superstitious to oblige British soldiers to do honour to the relics of St. Spiridion, carried about in a sedan chair ?'³

A scene in the House, during this same month of June 1830, lifts the veil and opens up to us the real state of feeling and of desire in Roman Catholic Ireland more effectually than the most elaborate debates. It arose over a petition 'complaining of certain violent and inflammatory speeches made before Associations of Papists in Ireland.' Mr. Trant, as a fellow Kerryman, referring to O'Connell's letter in a Waterford newspaper 'advising the people to make a run on the banks for gold instead of notes, and the ruin and bitterness caused thereby,'⁴ appealed to him to 'desist from the agitation in Ireland and from increasing the confusion and anarchy in that country.'⁵ He quoted from Richard Sheil also, who at a public dinner 'complained that the manna of patronage had not fallen on the Roman Catholics ;' and threatened the Government that, if they did not give substantial effect to the late measures, 'greater

¹ Hansard's *P. D.* (second series), vol. xxv. p. 351.

² *Ibid.* pp. 421, 442. ³ *Ibid.* p. 423. ⁴ *Ibid.* p. 617. ⁵ *Ibid.* p. 619.

evils than those of the past would soon arise, and men would still be found who knew well how to minister to the passions of the people!’¹ Further, there was a letter from O’Connell, dated 7th June 1830, in which he publicly denounced the Duke of Wellington as ‘totally unfit for the office of Prime Minister;’ and reminded them that Ireland, ‘organised by the Catholic Association, of whom 1400 were Protestants, had forced him to grant emancipation, which he granted with the worst possible grace!’ He had thrown ‘as much of bitterness into the cup as possible.’ His powers of reasoning were described as of ‘the lowest class.’ And, above all,—‘I really think that he hates and despises Ireland.’²

This fiery quotation brought O’Connell at once to his feet, in fine fighting trim. He ‘owed no explanation to the House or to the raving petitioners!’ But he would explain to his honourable friend, the Member for Dover, ‘that his efforts were to relieve the distress of Ireland by removing existing and flagrant abuses.’ He boasted ‘that by agitation Ireland had become strong; that by agitation she had put down her bitter enemies; that by agitation conscience had been set free; that by agitation Irish freedom had been purchased; and by agitation it shall be secured.’³ Contemning the ‘very name of office and the gew-gaw of a silk gown for himself or his friend, Mr. Sheil,’ from a Government whose conduct ‘towards the Catholic Bar had been disgraceful since the passing of the Relief Bill,’⁴—he loftily assured them ‘that he despised the intrigues of every Party in that House, Whigs and Tories were to him equally contemptible;’ and that he sat there as the Independent Member of an Independent Country, to do the work of the people and to oppose the oppressions of Ministers and of the aristocracy.’⁵

We may give, from the close of his speech on this occasion

¹ Hansard’s *P. D.* (second series), vol. xxv. p. 620.

² *Ibid.* p. 618.

³ *Ibid.* p. 621.

⁴ *Ibid.* p. 622.

⁵ *Ibid.* p. 630.

one specimen of O'Connell's talent for abuse, bordering on a kind of genius, though not of the highest, wherein he exclaims:—'But, sir, I cannot restrain the expression of my indignation, when I see needy professional adventurers empty jesters, silk-robed harlequins, without talent, without professional capacity or knowledge, known only as the parasites of Ministers and the panderers to power, devoid of every quality for office except adulation, subserviency, and tergiversation, ranters in the Senate House, briefless in the Courts,—I cannot, I say, restrain my indignation when I see such characters as I have described rising from nothingness and penury to station and wealth, filling judicial situations, and if not wearing the Ermine at least aspiring to that elevation; whilst their superiors in intellect and in worth, in integrity and information, are kept in the background because they are too sincere to conform and too independent to fawn!'¹ Had this been the inspired raving of a solitary agitator, it had deserved no record here; but it is preserved because all Ireland, at least all Roman Catholic Ireland, echoed and re-echoed the same convictions, and rose as one man to the cry. The Relief Bill, alas, had scarcely touched the fringe of their 'grievances;' and the face of Peel, who had sacrificed so much, apparently worse than in vain, must have been an interesting study during this all too suggestive episode.

On Friday, 25th June 1830, the House adjourned till Monday; but George IV. passed away at three o'clock on the morning of Saturday; and so the Peers were summoned at once, according to the provisions in the special statutes of 7th and 8th of William, c. 15, and the 6th of Anne, c. 7. By twelve o'clock, the Lord Chancellor had taken the Oath of Allegiance to William IV., and by four in the afternoon above eighty Peers had been sworn. The Commons, meantime, had been blotting their Journals with the usual tributes

¹ Hansard's *P. D.* (second series), vol. xxv. p. 630.

to 'our late Most Gracious Sovereign Lord King George IV. of blessed memory,'¹—though surely something a little less grotesquely untrue might have served for the Rake among the Georges!

The business of the session was wound up with as little ceremony as possible; and on 23rd July, the new King took the throne and closed the Eighth Parliament of the United Kingdom with a speech in which the following passage occurs, fitly showing what the Parliament and the Ministry designed and expected in passing the Relief Bill, and as fitly by the contrast of events then and since showing what the Roman Catholics determined to make of it:—'You have removed the Civil disqualification, which affected a numerous and important class of my people. While I declare, on this solemn occasion, my fixed intention to maintain to the utmost of my power the Protestant Reformed Religion established by law, let me at the same time express my earnest hope that the animosities which have prevailed on account of Religious distinctions may be forgotten, and that, the decision of Parliament with respect to those distinctions having been irrevocably pronounced, my faithful subjects will unite with me in advancing the great object contemplated by the Legislature, and in promoting that spirit of domestic concord and peace which constitutes the surest basis of our national strength and happiness.'² Well meant, and well spoken, by a Protestant King in name of a Protestant country; but it requires the loyal assent of the Papal community in our midst to make the concession a means of concord, instead of a tool for other dissensions. Read on, and let our History unfold events and enforce their lessons.

The Ninth Parliament of the United Kingdom assembled on 26th October 1830, and within ten days the Roman Catholic Claims were again lashing the waters into turmoil. Leave was asked to 'bring in a bill to do away with the

¹ Hansard's *P. D.* (second series), vol. xxv. p. 699.

² *Ibid.* p. 1315.

Oath of Abjuration on the acceptance of Civil office, and the Oaths taken by Members of that House before the Lord Steward.’¹ Mr. Cutlar Ferguson, anticipating later wisdom, ‘could see no reason for any oath except the Oath of Allegiance.’² Calling attention to the three oaths which Protestants were obliged to take—Abjuration, Allegiance, and Supremacy,—and to the infinitely better framed oath for Roman Catholics in which the three were ‘subordinated in a more rational form,’ he protested that it was ‘most extraordinary that a Protestant Member, who never could be supposed to believe that any foreign Prince or Potentate had any spiritual jurisdiction in this realm, was called upon to negative such a supposition on oath; while the Roman Catholic Member, who of course did entertain such a belief, was not called upon to comply with any such obligation!’ A glaring absurdity, caused by the repeal of portions of Acts here and portions there, producing legislative anomalies like this. But O’Connell, asserting the Roman Catholic position, waggishly retorted:—‘That it was perfectly consistent with the belief of a Protestant to swear that the Pope neither had nor ought to have any spiritual jurisdiction in this realm; but a Roman Catholic Member could not be required to swear that, for he believed that the Pope had spiritual jurisdiction over him!’³ And leave was given to bring in the bill.

A few days later, 9th November, the House was lashed into rage by one of these frequent and stormy altercations over Repeal, in which O’Connell played the central part. He presented a petition in its favour from Waterford, and was hotly challenged by Mr. Doherty to ‘bring this question substantially before the House, instead of indulging in irregular and vapid observations over petitions.’⁴ O’Connell assured the Commons ‘that he had no other object in view

¹ Hansard’s *P. D.* (third series), vol. i. p. 200.

² *Ibid.* p. 202.

³ *Ibid.* p. 203.

⁴ *Ibid.* p. 318.

than to prevent the forcible separation of England from Ireland,¹ and to dissolve the Union by peaceable legislation. Mr. George Dawson, now Member for Harwich, 'dared him to bring it forward substantially before the House,' and accused him of 'agitating for Mob popularity.'² Sir Robert Bateson, for County Derry, declared 'that ninety-nine out of every hundred among his constituents were opposed not only to the Repeal of the Union, but also to the very agitation of such a question.'³

But it was unsafe work to try a fall with O'Connell in the art of abuse. He retorted on the Honourable Member for County Derry 'that he had at least one singularity to signalise him—he was that Honourable Member's inferior when called to the Bar, now he was his equal!'⁴ To the ex-Member for County Derry 'he had little to say, except to ask him,—How much of the public money had he received in his time? Had he not put public money into his pocket by shovelfuls?'⁵ As to the sitting Member, 'he was not acquainted with the Honourable Member's constituents; but he understood that they were a pugnacious race'⁶—

"Who built their faith upon
The Holy Text of pike and gun."

He had been 'taunted with representing an Irish mob; but the ex-Member himself represented nothing Irish, and he was glad of it! He left his country, and took refuge in an English rotten borough; and yet that man, that clerk in a public office, with an extraordinarily large salary for doing nothing, came forward to calumniate him—disinterestedly and independently chosen by the people of Waterford!'⁷ In the words of the Chief Justice of the Irish Common Pleas, he would say 'that Ireland had never wrung any boon from the grasp of England⁸ which England had

¹ Hansard's *P. D.* (third series), vol. i. p. 319.

² *Ibid.* p. 321.

⁶ *Ibid.* p. 325.

⁴ *Ibid.* p. 323.

⁷ *Ibid.* p. 326.

² *Ibid.* p. 320.

⁵ *Ibid.* p. 324.

⁸ *Ibid.* p. 327.

not parted with as reluctantly as if it had been her heart's blood.'

Turning then towards the Ministerial benches, O'Connell shouted,—‘Ye place-holders who revel on the hard earnings of the people, ye pensioners who subsist on the public money, ye tax-consumers and tax-devourers, assault me as ye please! I am not to be intimidated by you. I shall continue to stand by Ireland, for I represent her wants, her wishes, her grievances.’

He hoped ‘that, as he had been born in an independent Country, he should not die till he had left it in possession of an independent Legislature!’ The frank audacity of such demands is refreshing, when contrasted with the sneaking pretences of our later day, with ‘subordinate’ Parliament on the lip, but ‘separation’ carved on every line of the heart.

George Dawson did not, however, come second best out of this personal wrangle; for, brushing aside O'Connell's jibes about his salary, ‘as what a public man is liable to hear at any time from men of vulgar mind and mean ideas,’¹ he flamed out in this style,—‘But when the Honourable and Learned Member indulges in aspersions on my private character—when he states as a reflection upon me that I am no longer the representative of ‘Derry—though he knows that I lost my seat for consistently supporting his claims as a Roman Catholic before Emancipation, and for assisting to give him privileges which he now uses to promote agitation in Ireland; when he presumes, and I use that word advisedly, to touch upon my private conduct, I have the right to say thus much at least to him—that I have had the misfortune in my time to receive his praises and encomiums, and that I have now, thank God, the good fortune to be made the object of his calumnies and of his slanders. He knows well that he dared not have uttered the tenth part of the calumnies and falsehoods that he has vomited against me,

¹ Hansard's *P. D.* (third series), vol. i. p. 329.

if he had not determined to cover himself with the mantle of a most disgraceful indemnity!’¹

This scarcely veiled challenge brought ‘loud cheering’ from three-fourths of the House; but the more sober-minded fourth saw behind the words possible sword or pistol, and supported the Chair in the emphatic cry of ‘Order! Order!’ O’Connell, in spirit at least, was the incarnation of the hopes and demands of the ‘Emancipated’ Roman Catholics of Ireland; and, so far, we must understand his motives and aims in order to understand this History. This was the first visible fruit of the Relief Act of 1829.

The Peel-Wellington Ministry resigned, being beaten by a majority of 29 on their Civil List Debate, 16th November, 1830.² The new Ministry, under Earl Grey, embraced all the most prominent surviving advocates of the Roman Catholic Claims, such as Brougham and Plunkett, Melbourne and Palmerston, Russell and Jeffrey. They had walked to power knee-deep amongst the most fervent assurances that Ireland needed, and asked ‘nothing more’ than the concessions of the Relief Bill, and that ‘peace and concord’ would prevail so soon as that bill became law. How did they feel, therefore, on the 6th December, within eighteen months of the passing of the Act of 1829, when O’Connell, in presenting a petition, took occasion to tell the Government and the House, ‘that he entirely concurred with the petitioners in maintaining that *the Union was the principal cause of all their distresses!*’ Moreover, that their cup of chagrin might be filled to the brim, he attacked their other pet institution which ‘Emancipation’ was to strengthen and preserve inviolate, declaring ‘that, *next to the Union*, he condemned the extravagantly expensive Church Establishment as a principal source of the misery of the Irish people.’³

¹ Hansard’s *P. D.* (third series), vol. i. p. 329.

² *Ibid.* p. 562.

³ *Ibid.* p. 773.

Sir John Newport, interposing, assured O'Connell 'that the most strenuous opposers of the Union in the Irish Parliament were clearly of opinion, that, if once completed, it must be indissoluble, that the measure was irrevocable! Ponsonby, Charles J. Bushe, Plunkett, Oriel, and all the great men of that period, held that, if once carried, the idea of Repealing the Union would be perfectly visionary. He was old enough to remember that Local Parliament it was thus vainly sought to restore; and he could well remember that the country, under its Government, was in such confusion and anarchy that he believed it could nowhere else be paralleled,—the country was in such a state that no peaceable man could live in it.'¹

Whatever Peel and Wellington, or Brougham and Plunkett, might from their point of view hope or intend by their Concessions, O'Connell was doubtless speaking, not only for himself, but for the Papal Party throughout Ireland, and speaking truly, when he declared 'that he was grateful for Emancipation, but he had always said at Catholic meetings that he sought Emancipation *with a view to get back their Parliament*.'²

When C. W. Wynn brought in his Oaths Repeal Bill, in accordance with the leave that had been granted, and proposed particularly 'to render unnecessary the Oath of Abjuration,'³ Sir R. H. Inglis very pertinently remarked,— 'When the Catholic Relief Bill was passed, they were told that the Oath of Abjuration was an effectual security against its affecting the Protestant Succession; and yet now already they were called on to divest themselves of that very security!'⁴ He called upon them to remember 'that they, as Members of Parliament, entered that House *free to act on every subject but one*; they could repeal or annul every Statute but one—the Act of the Settlement of the Crown

¹ Hansard's *P. D.* (third series), vol. i. p. 775.

² *Ibid.* p. 1020.

³ *Ibid.* vol. ii. p. 140.

⁴ *Ibid.* p. 141.

in the present Royal Family. That Act of Settlement was recognised by the Oath of Abjuration, in which the Act of Settlement itself was riveted.' By the Oath of Abjuration the Parliament tied its own hands against touching the Succession in the Protestant Line.

Matters rushed to a crisis in Ireland. Vast districts of the country were 'proclaimed.' Parliament, during the first two months of 1831, rained nothing but Irish debates. The O'Gorman Mahon of that day thundered,—'If blood be shed in the struggle for Repeal of the Union, the guilt will rest on you Englishmen; the Irish people will never succumb to your tyranny!'¹ O'Connell was put on his trial by the very Government whose Members had 'emancipated' him and his associates. He was charged with 'having repeatedly held illegal Assemblies,' under fourteen heads, and with having 'conspired together with others in doing so,' under sixteen heads.² O'Connell pleaded guilty to the former charge, and by-and-by, from his place in Parliament, explained that, 'devoted as he was to the Political regeneration of Ireland, he would not consent that that regeneration should be purchased even at the risk of shedding a single drop of human blood.' Whereon, a voice from the gallery cried with great emphasis, 'That's a lie!'³ and the owner of the voice was bundled off instantaneously into custody. Perhaps the speaker was mystified by the peculiarly Irish vindication—that a man who stirred every passion that leads to bloodshed, and lashed up the furies that breed Civil War, should try to whitewash his reputation by boasting that he would not risk the shedding of one drop of human blood. We need not grudge O'Connell this lame, however sincere, defence.

In March 1831 another little side scene, transacted in the House of Lords, showed the forces steadily gathering against the Irish Church—showed also the straws at which political

¹ Hansard's *P. D.* (third series), vol. ii. p. 341.

² *Ibid.* p. 610.

³ *Ibid.* p. 1010.

perplexity was inclined to grasp.¹ Viscount Clifden, in presenting a petition from Ireland 'against the system of Tithe Collecting,' declared his own belief 'that the two parties would never agree well together until liberal provision should be made for the Roman Catholic Clergy.' But Lord Farnham objected testily, 'that this was a plan in which he would never concur—he would resist it to the utmost of his power; the Roman Catholic Church was founded in error, and ought never to be made a constituent member of this Protestant State.'² On the other hand, at the same time, Earl Grey took occasion to remark, on the presentation of a petition regarding Repeal of the Union by the Earl of Wicklow, 'that he was fully convinced that the object of the agitation, if ever attained, would be most disadvantageous, if not fatal, to the Empire; that the Repeal of the Union, if carried, would lead to the dismemberment of the Empire.'³ But, in the other House, almost at the same hour, O'Connell was eagerly protesting 'that it was a calumny on the friends of Repeal to say that they wished *political separation*!' ⁴

The student of General History is well aware that, side by side with these questions of ours bearing on concessions to Papal Claims, there was raging on through 1831 what is *par excellence* known as *the* Reform Bill, that is, the Reform of the Representation in Parliament, which was consummated in 1832. As helping us to interpret the men and the times, we must allow ourselves one glimpse—the Prorogation Scene of 22nd April 1831. In the Lords, when the Chancellor left the Woolsack, as was suspected, to 'receive his Majesty'—the Ministry having resolved to force on a Dissolution—Shaftesbury was called to the Chair, and there were loud cries for the 'order of the day.'⁵ Lord Wharncliffe read his notice of motion for an 'Address' to his Majesty, 'that the Prorogation, or Dissolution of Parliament, at the

¹ Hansard's *P. D.* (third series), vol. iii. p. 3.

² *Ibid.* p. 8.

⁴ *Ibid.* p. 21.

² *Ibid.* p. 5.

⁵ *Ibid.* p. 1805.

present juncture, was fraught with great danger to the Crown and to every institution in the State.' The Chancellor calmly intimated 'that the House of Commons had refused Supplies,' till the question of Reform was settled, and then withdrew from the House.¹

When Shaftesbury resumed the Woolsack, there were 'cries, confusion, noise, and impetuosity.' The Peeresses were 'vastly alarmed.' The Peers 'appeared to be almost scuffling, shaking their fists in anger.'² The Earl of Mansfield unveils for us the whole heart of the opponents of that Reform, when, 'accusing his Majesty's Ministers of weakness, and of conspiring together against the safety of the State, and of making the Sovereign the instrument of his own destruction,' at which there were 'loud cries and great confusion,' he proceeded in towering earnestness, though sounding very comically in our later ears,—'What did the Petitions of the People pray for? For Reform of Parliament, and for that which they expected it would give them! A reduction of taxes, a reduction of sinecures, a reduction of salaries, and next the appropriation of Church Property to some entirely different purpose! . . . That every household in the kingdom, paying scot and lot, should have a vote, and that that vote should be by ballot! . . . He had stated to his Majesty that he was certain an attack would immediately be made upon the Credit of the country, upon the privileges and existence of that House, and at length upon the privileges of the Crown itself.'³

But the panic of eloquence was cut short here by cries of 'The King! The King! God save the King!' The large doors were 'thrown open to the right side of the Throne.' His Majesty entered the House, bowed, and begged their Lordships to be seated. The Peeresses were soothed at last. The Peers relaxed their shaking fists. Royalty was received with smiles.⁴

¹ Hansard's *P. D.* (third series), vol. iii. p. 1807.

² *Ibid.* p. 1808.

³ *Ibid.* p. 1809.

⁴ *Ibid.* p. 1810.

Meanwhile, a scene was being enacted in the Commons that demands even stronger colours. The Speaker was 'in the full robes of his office,' portending the event of the day. A petition, in favour of the Reform Bill, poured oil on the kindling fires.¹ Lord John Russell was 'refused a hearing,' being assailed with wild shouts of 'Order!' 'Chair!' 'Bar!' Sir R. Vyvyan, rising on the wings of the storm, screamed 'that, if Ministers were allowed to carry this Bill, all funded property would become unsafe, tithes would be devoted to confiscation, the House of Lords would be destroyed, and the Crown itself shaken from the head of the Sovereign!'²

At this tremendous outburst there pealed forth the 'sound of guns,' announcing the arrival of his Majesty; whereat there was uproarious 'laughter,' drowned in cries of 'Order! Order!' Sir Robert Peel, Sir Francis Burdett, and Lord Althorp, then 'rose together,' and the scene that followed was 'most extraordinary.' Peel was 'received with loud shouts, groans, laughter, and cries of "Bar!" from the Ministerial benches, responded to by cries of "Order!" and "Chair!" from the Opposition.' But all 'endeavours of friends, and his own most vehement action and gesticulation, failed to obtain a hearing.' Neither of the other two would 'give way.' In response to their 'supplicating gestures,' the Speaker rose. There was, nevertheless, 'a long interval of confusion, and cries of "Shame!"' A noble Lord had 'moved that Sir Francis be now heard;' that was 'the question' he had now to put; and on that question Sir Robert Peel 'had as undoubted a right to speak as on any other that could come before the House.'³

Thereon, Sir Robert rose, was 'received with groans, shouts, laughter, and cries of "Bar!"' The Speaker again interposed; and Peel, amidst interruptions, was at length allowed to proceed. He charged them with 'the defiance

¹ Hansard's *P. D.* (third series), vol. iii. p. 1818.

² *Ibid.* p. 1819.

³ *Ibid.* p. 1820.

of all regular authority, even from the place occupied by Ministers of the Crown, but had no fears of a successful issue to that struggle into which they were about to enter.¹

Behold, how circumstances alter cases! Does Peel remember 1829? The same charges were hurled against himself for high-handedly 'refusing to dissolve Parliament and appeal to the people.' In the passion of the moment he revealed his contempt for all such appeals,—'If they carried that bill, they would introduce the very worst and vilest species of despotism—the despotism of demagogues! the despotism of journalists!'

Nay, the retort disagreeable received even a keener edge as Peel continued,—'When he looked to Ireland, especially the state of society in the Western counties, where Rebellion had almost hoisted its standard, and landed proprietors, who were well affected to the State, were left without the slightest protection, and threatened with pillage and destruction, he could not call up words to express his astonishment and regret at the course adopted by Government. Instead of asking for *new powers and new laws* to vindicate the outraged authority of the Government' (why did not Peel and Wellington do so in 1829?) 'the King's Ministers, at such a crisis, had resolved to dissolve the Parliament, to protect themselves from that loss of power with which they were threatened. . . . Ministers had adopted that course to protect their places! They had pursued a course adopted by all Governments called Liberal!' ²

Here there burst forth loud cries of 'Bar! Bar!' But these were drowned by the 'hammering' of Black Rod at the door. Next moment, the Speaker of the Commons, accompanied by about 100 Members, and preceded by Black Rod, in the person of Sir Thomas Tyrwhitt, 'rushed in very tumultuously' into the Upper House, and stood in the presence of the King. His Majesty 'read a speech,' pro-

¹ Hansard's *P. D.* (third series), vol. iii. p. 1821.

² *Ibid.* p. 1822.

roguing Parliament with a view to a Dissolution ; and frankly explained to them that the object was to 'ascertain the sense' of the People on the 'expediency of making such changes in the Representation, as circumstances may appear to require.'¹

Every unprejudiced reader must admit that this at least was a Constitutional course—a *Referendum to the Nation* ; a course urged upon Peel and Wellington in 1829, and which they resolutely and haughtily declined. If the Constitution is to be changed, let it be by the voice and votes of the Constituencies, and not otherwise !

SECTION II

Maynooth Grant and New Education Scheme

THE Tenth Parliament of the United Kingdom assembled in June 1831, and the Right Honourable Charles Manners Sutton was, 'for the sixth time, unanimously elected to the Chair.' Its very first session was full of themes bearing on the subject of our History. Within a week, Mr. Joseph Hume presented a Petition from the Roman Catholics of Ireland 'for the abolition of the Church Establishment, and for vesting the Church Property in Public Commissioners, to be applied to the improvement of Ireland.' He gloried in 'the fact, which no one could deny, that the Church of Ireland was in danger.'²

Then came on the new Parliamentary scene the old demand for Repeal of the Union ; O'Connell once more presenting a Petition 'for the re-establishment of a Local Legislature in Ireland.'³ Swiftly following this came a Petition from the Clergy of the Established Church in

¹ Hansard's *P. D.* (third series), vol. iii. p. 1810.

² *Ibid.* vol. iv. p. 239.

³ *Ibid.* p. 582.

Ireland complaining 'that their Tithes could not now be collected without the aid of Military force and risk of the loss of life;' and ascribing 'this spirit of resistance to the letter recently published by Roman Catholic Prelates, declaring Tithes to be unreasonable and unjust.'¹ Then came a Petition from Glasgow, signed by 28 Ministers and 111 Elders of the Kirk of Scotland there, praying 'that no further Grant be made for the support of the Roman Catholic College at Maynooth.'² This was presented by Mr. James E. Gordon, Member for Dundalk, and evoked a fiery and stormy debate—a debate over the Annual Grant to Maynooth, which raged on unceasingly, renewed year by year, till Peel laid the storm by the Endowment Act of 1845, as we shall hereafter see.

O'Connell started the fray by challenging the Honourable Member to be 'answerable' that its terms were respectful. Gordon 'approved of all its phraseology, and should be glad to have it read.' O'Connell was 'quite sure of that; and that he would concur in every sentiment derogatory to the Roman Catholic Religion!' The Speaker shouted 'Order! Order!' The Petition against the Maynooth Grant was then read, and described the Roman Catholic Religion 'as idolatrous, as marked out for destruction by God, along with the kingdoms which supported it,' and declared 'that any Grant of Public Money to countenance and propagate its errors must be attended with the most prejudicial consequences to the safety, honour, and welfare of the British Empire.'³ Mr. Cutlar Ferguson 'held such language to be a direct insult to every Member of that Parliament which had granted to the Roman Catholics Equality of Rights with their fellow-citizens.' Lord Milton 'considered himself an ultra-Protestant, yet denounced such expressions as more consistent with Sectarian zeal than

¹ Hansard's *P. D.* (third series), vol. iv. p. 1092.

² *Ibid.* vol. v. p. 16.

³ *Ibid.* p. 16.

with Christian charity.'¹ Mr. Joseph Dixon, Member for Glasgow, praising the Petitioners—'no men of higher and purer feelings'—yet illogically declared 'that no man of Liberal feelings, or of Christian charity, could give utterance to the doctrines contained in the Petition.'² Mr. Crésset Pelham, for Shropshire, sarcastically hinted 'that subjects of this kind had better be left to the other House of Parliament, where individuals acquainted with the Divine Law could discuss them!'³

But Sir R. H. Inglis laid the wet cold sheet of common sense over this, and much similar flattering talk, by the opportune remark,—'That the terms, in this Petition over which such an outcry had been raised, were the very terms of that Oath which 658 Members of the House had sworn to only two years ago! Even at the present, the Sovereign, who had taken his seat on the Throne, was obliged by Act of Parliament to take the Oath—in terms much stronger than those employed by the Petitioners.'⁴ To this O'Connell testily replied,—'that the Honourable Gentleman knew nothing of the Religion which he condemned.' In answer to his assertion that they believed in the 'infallibility' of the Pope, O'Connell reminded him—and let Roman Catholics everywhere make note of this responsible declaration in face of the House of Commons—'that they had sworn over and over again that they believed no such thing!'⁵ As to the assertion that their Religion was 'idolatrous,' he would 'venture to tell the Honourable Gentleman that his Religion was as little idolatrous as was that professed at his own celebrated University of Oxford.'⁶

On a motion for printing the Petition, Sir Robert Peel said, 'that he had no hesitation in voting for the "reception" of the Petition, as he did not think it contained anything personally offensive to individuals;⁷ but the "printing" of

¹ Hansard's *P. D.* (third series), vol. v. p. 17.

² *Ibid.* p. 18.

³ *Ibid.* p. 19. ⁴ *Ibid.* p. 19. ⁵ *Ibid.* p. 19. ⁶ *Ibid.* p. 20. ⁷ *Ibid.* p. 26.

the Petition was an entirely different question; and he opposed that mainly as a matter of policy—a useless waste of money!’ The Petition was, after a long debate, received, but not printed.¹

The dry-as-dust annals are lighted up for us momentarily on 2nd August 1831. There passes across the Parliamentary stage, for the first time in our reading, a young girl yet to become famous among all women of our history as Queen Victoria. A message from King William IV. was on that day submitted to both Houses of Parliament, inviting them to ‘make a more adequate provision for H.R.H. the Duchess of Kent, and for the honourable support and education of her royal daughter—the Princess Alexandrina Victoria.’² The shadow and the splendour of the coming Crown have already fallen upon her path; and the hopes of a Nation, not untinged with fears for so great a destiny, are beginning to cluster around that little maiden entering on her teens.

But Maynooth, in those days, was always with us. On 5th August, the wind was again blowing a full gale. Petitions had been presented from Armagh against the continuance of the Grant. But Charles Brownlow, Member for the Shire, ‘would rather see a proposal to have it enlarged,—that would meet his entire approval.’³ Thomas Wyse, from Tipperary, complained ‘that Dublin College was comparatively closed against the Catholics; but if it were opened, and made a National Establishment, there would then be sufficient grounds for refusing this Grant.’⁴ The Member for Dublin University, Mr. T. Lefroy, at once ‘denied that the College of Dublin was exclusive. Roman Catholics could obtain Degrees, and were excused from attending the Chapel. True, the Fellowships and Scholarships could be obtained only by Protestants. And he hoped never to see the Latitudinarian System of the German

¹ Hansard's *P. D.* (third series), vol. v. p. 28.

² *Ibid.* p. 584.

³ *Ibid.* p. 818.

⁴ *Ibid.* p. 819.

Universities resorted to in Dublin—opposite Professorships to teach conflicting Religious doctrines!’¹ Sir Robert Bateson affirmed ‘that all persons, with whom he came into contact, were agreed that the Priests now educated abroad were both more liberal and more learned than those trained at Maynooth.’²

Mr. James E. Gordon, however, struck at the principle and exclaimed,—‘that it was an act of gross inconsistency in a Protestant Country and Government to support an Establishment for the Education of Priests who were using every effort to vilify and upset the same.’³

O’Connell, on the other hand, at once blossomed out into a perfect Voluntary, and was for no exclusive Church, but hoped the time would come when every man would resort to his Priest, as to his Doctor or Lawyer, and pay the man whose aid he might require!’⁴ This surely was logic driven to its final issues. How his Roman Catholic devotees liked those ideas, rumour sayeth not.

Nor did the month of August die away without another tussle on the same theme. This time it was begun by Sir R. H. Inglis presenting a Petition from 780 Protestants against the Grant to Maynooth. They contended ‘that the College had been instituted to accomplish certain objects, but that the experiment had failed!’ These objects were the ‘educating of respectable men for the Priesthood at home, to prevent them coming under foreign and hostile influences.’ As matter of fact, however, ‘the Clergy educated abroad, as Father O’Leary, Dr. Butler, and the Roman Catholic Archbishop of Cashel, were greatly superior to those that had been reared at Maynooth; and the two ablest Roman Catholic Clergymen of the present day, Dr. Doyle and Dr. Curtis, were both educated abroad.’⁵ But the honour of ‘ould Ireland’ was not to be tarnished in

¹ Hansard’s *P. D.* (third series), vol. v. p. 820.

² *Ibid.* p. 821.

³ *Ibid.* p. 821.

⁴ *Ibid.* p. 823.

⁵ *Ibid.* vol. vi. p. 916.

this way. O'Connell jumped up in hot patriotism, and 'instanced as a production of Maynooth, the Right Rev. Dr. M'Cabe'—challenging, in a single breath, the whole Irish Clergy to a competition with him 'in Theology and Philosophy, in Science and Classics.'¹ The House fled from the spectacle, and the Petition was expeditiously disposed of.

The months of August and September 1831, fairly launched the more general question of Irish Education in its relation to Papal Claims, upon the stormy waters of Political conflict. Step by step, the Roman Catholic Prelates attacked every Institution that stood in the way of their Supremacy; and now they petitioned Parliament 'to refuse further Grants to the Kildare St. Society.' They complained that that system 'led to strife, ill-will, persecution, and proselytism.'² Mr. Lefroy at once parried the charge of proselytism, by quoting to the contrary 'the testimony on oath adduced before the Commissioners;' and rolled back the battle to the gates of the enemy by declaring 'that, if the Roman Catholic population were not educated by the Kildare St. Society, the charge, the guilt, lies against the Roman Catholic Bishops and Clergy; even though the Kildare St. Society allows them their own Bibles and their own Testaments.'³

The subject being thus introduced, we are not unprepared to find the Government, through Chief Secretary Stanley, propounding a New Scheme of Education for Ireland, and asking, on 9th September 1831, a vote in Supply of £30,000. He explained that the Government had 'found the Kildare St. Society already in existence, with a small income, and with the indispensable principle that a portion of the Holy Scriptures, without note or comment, should be read by the pupils every day,' and had hitherto subsidised it.⁴ But he added, revealing at a glance the Priestly pressure under

¹ Hansard's *P. D.* (third series), vol. vi. p. 917.

² *Ibid.* p. 458.

³ *Ibid.* p. 459.

⁴ *Ibid.* p. 1250.

which the Government was again yielding, sacrificing vainly to the pursuing wolves,—‘It was absolutely impossible that that scheme should ever have succeeded in a country five-sixths of which was Roman Catholic.’ A small number of the Roman Clergy, indeed, ‘did support the Kildare Society Schools; but it did not, therefore, necessarily follow that the system was national.’¹ In plain English, this means that the Roman Catholic Prelates had condemned these schools, as they will condemn all schools, in which they are not permitted to teach their own distinctive Religious tenets to the children. Therefore, the Government had determined to try appealal by another concession to Papal demands—our History will soon demonstrate with what success.

The terms of the proposal were,—‘That the money should be placed at the disposal of the Lord-Lieutenant of Ireland, and the conduct of the schools left to the direction of a Board partly Protestant and partly Catholic.’ The teachers would be ‘appointed by that Board, and the general direction of all the Government Schools left in their hands,—one or more days in each week being given up to separate Religious Instruction, and the other days to combined general education.’² It was a beautiful dreamland scheme. Both, yea all Religions would mix together on terms of equality, and all animosity and ill-will would be extinguished in the classes and on the playgrounds of the National Schools. We shall soon, then, have an object-lesson, a practical and living demonstration, as to whether Equality, *absolute and unquestioned Equality*, can ever, in this or in any sphere, be accepted by the Clergy of Rome.

In the debate that followed, Mr. John H. North explained ‘that the Kildare St. Society, founded in 1811, had but followed out the plan of a Society founded by the Quakers in 1786, and had done so with great general satisfaction.’³

¹ Hansard’s *P. D.* (third series), vol. vi. pp. 1252, 1253.

² *Ibid.* p. 1258.

³ *Ibid.* p. 1262.

These were its three principles: (1) 'The appointment of masters and the admission of pupils without any regard to Religious distinction; (2) the exclusion of all books of theological controversy and the allowance of time for Religious instruction out of school hours; (3) that the Sacred Scriptures be read without note or comment,—and the Society recommends that the Bible be not used as a mere school book, from which to teach reading and spelling.' There was positively no exclusiveness in its constitution,—'any man, subscribing an annual guinea, or ten guineas for life, could have his full say in all its rights and privileges.' Then, turning to O'Connell, he continued—'The Honourable Member for Kerry himself was a member of the Committee for nine years, and used to proclaim it a most liberal institution, and one which every Roman Catholic was justified in supporting.'¹ Mr. Lefroy held 'that the poor people were not to blame' for now withdrawing from the Society's schools, to which they had for many years gladly flocked; 'nor were the Roman Catholic Clergy themselves altogether the authors of the prohibition.' They were, alas, 'bound to obey a superior authority; they were under the jurisdiction of a Foreign Potentate; they were obliged to yield implicit obedience to the Court of Rome, from whence in 1821 issued the Bull prohibiting the use of the Scriptures in Irish Schools.'² That was a bull not of Irish origin, but of the true Italian breed!

Mr. James E. Gordon gave the Commons 'a taste of the books' actually taught, and for which the British public were thus asked to pay. Amongst those published by the 'Catholic Book Society,' under the sanction of their Bishops and Archbishops, one of the most popular was entitled *The Grounds of Catholic Doctrine*.³ Therein Protestants are described as 'schismatics and heretics,' and declared to have

¹ Hansard's *P. D.* (third series), vol. vi. p. 1263.

² *Ibid.* p. 1272.

³ *Ibid.* p. 1293.

‘no part in the Church of Christ.’ In the notes to *The Evangelical Life of Christ*, approved by Dr. Troy in 1820, and still taught in the schools, it is affirmed ‘that whoever falls from the Communion of the (Roman) Catholic Church neither is, nor can be called, a Christian.’ He quoted also *The Christian Doctrine*, revised by Dr. Doyle, and prescribed for all schools in his Diocese, to prove ‘that it mutilated and contradicted the Word of God, that it taught doctrines which struck at the very root of moral obligation, and that it flung out of the pale of salvation those who presumed to reject them—stigmatising the Bible Protestants of this country as heretics.’¹

When challenged on those issues by O’Connell, who excelled rather in Hibernian abuse than in constructive argument, there came from this same James E. Gordon the silencing reply:—‘The Honourable Member for Kerry has flatly contradicted the assertion that Dr. Doyle had been guilty of publishing misquotations and mutilations of Scripture. He held the book, *Christian Doctrine*, in his hand, and let the Committee judge! For example (Rev. xxii. 8)—“I fell down to worship before the feet of the angel.” The other half of the verse is purposely omitted—“See thou do it not!” Again (1 John i. 8)—“Cleanseth from all sin” is given as “Cleanseth from all mortal sin;” and this of deliberate intent to make room for the idea of “venial” sin!’² . . .

Further,’ continued this merciless rejoinder, ‘the Honourable Member for Kerry has charged me with audacious folly for asserting that the Roman Catholic Bishops had one Catechism for England, and another to suit Ireland. I hold the two Catechisms in my hand—as sanctioned by the Bishops in both countries—and what Protestants and the Bible call the Second Commandment is omitted in the Irish Catechism, but is given in the smaller Catechisms of England.’ To

¹ Hansard’s *P. D.* (third series), vol. vi. p. 1293.

² *Ibid.* pp. 1302, 1303.

which O'Connell, with his back for once at the wall, could only make the feebly reply:—'That was only omitted, which was stated in the preceding Commandment, in order not to give the same Commandment twice over!'¹ Our Daniel never shines in the Theological arena.

The withdrawal by Government of the 'grants' for education from the Kildare Street Society's Schools gave a new turn to the attack against the 'grant to Maynooth,' on 26th September 1831. Mr. Spencer Perceval, in moving that it be 'discontinued,' held that a 'new ground for voting with him was that the Government, professing to deal equal justice between Catholic and Protestant, had cancelled the Kildare Street Grant, while they continued this one; on their own principles, it also ought to be withdrawn.'²

The Chief Secretary, Honourable Edward G. S. Stanley, 'would vote at once for the amendment, if he could imagine that by consenting to the Maynooth Grant he was promoting the Ascendency of the Roman Catholic Religion, or impairing the interests of Protestantism,' but he regarded it as a 'purely political' transaction!³ Sir Robert H. Inglis contended, on the other hand, 'that as the Government had altogether altered its policy with respect to Education in Ireland,—this withdrawing of grants from Protestants and continuing them to a Roman Catholic Establishment would show a partiality of which no Government ought to be guilty.'⁴

In this same discussion, Mr. James E. Gordon returned to the attack on Roman Catholic text-books, and quoted from Dr. Doyle's revised edition of *Christian Doctrine* the following tit-bits:—'When is theft a "mortal" sin? When the thing stolen is of considerable value, or causes considerable hurt to our neighbour. . . . When is a lie "mortal" sin? When it is any great dishonour to God, or notable prejudice to our neighbour.'⁵ And Mr. Gordon remarked

¹ Hansard's *P. D.* (third series), vol. vi. pp. 1303, 1304.

² *Ibid.* vol. vii. p. 609. ³ *Ibid.* p. 611. ⁴ *Ibid.* p. 616. ⁵ *Ibid.* p. 629.

that these were 'accommodating doctrines for the liar and the thief!'

Further, as to the Bible, Mr. Gordon also reminded the House 'that the Pope's Encyclical reached Ireland in 1824, in which the versions of the Scriptures in the vulgar tongue were stigmatised as "Gospels of the Devil," and in which appeal was made to the fourth rule of the "Index" against the general use of the Bible in any form by the Laity. The Roman Catholic Hierarchy in Ireland endorsed that, and issued a *Pastoral Address* to pioneer it through the kingdom—instead of asserting the independence of which they and their friends sometimes boasted!'¹

Mr. Lefroy 'could not distinguish between what was purposed in this grant, and the having of two Established Churches, or as many Churches established as we have Religions.'² Of course not, nor can anybody else, if *principle* is to be our guide; but when *policy* takes the reins, the most wonderful distinctions can be drawn, distinctions without a difference.³

In treading amongst the burning ashes of the great Reform Bill debates of 1832, we stumble occasionally on 'Education in Ireland,' and 'Tithes in Ireland.' But everything was swallowed up in the frenzy over 'Parliamentary Reform;' and righteously so; for in its main issues, this was the greatest question of the century—the real and living Representation of the People in their own Commons' House of Parliament. The Reform Bill passed in the Lower House on the 22nd March by the triumphant majority of 116.⁴ But on 7th May the Upper House threw it out by a majority of 35 on the other side.⁵ Thereon the Reform Ministry, under Earl Grey, resigned; and petitions to 'refuse all Supplies,' till the Bill had been passed, became the order of the day.⁶

¹ Hansard's *P. D.* (second series), vol. vii. p. 631.

² *Ibid.* p. 638.

³ *Ibid.* (third series), vols. viii., ix., and x.

⁴ *Ibid.* vol. xi. p. 780.

⁵ *Ibid.* vol. xii. p. 724.

Ibid. p. 905.

On 14th May, it having become known that the old warrior Wellington, with Peel as his lieutenant, was again trying to form a Cabinet, the House of Commons cheered Macaulay to the echo when he denounced the Duke for taking office, and shouted :—‘ If others wished to have infamy and peace, let the House of Commons at least have honour and Reform ! ’¹

But the crisis of fever, if sharp, was phenomenally short ; for on 18th May we find that the Earl Grey Ministry has returned to office ; and three days later the Duke of Newcastle is calling the attention of his brother Peers to a letter in the ‘ Morning Chronicle,’ ‘ purporting to be his Majesty’s pledge to the Ministry to create as many Peers as might be necessary to carry the Reform Bill.’ The record saith not whether his alarm was soothed by Earl Grey’s diplomatic assurance ‘ that it was not authentic ! ’² Anyhow, the Lords managed to carry the third reading very expeditiously thereafter, with non-contents mustering only 22—the rest judiciously absenting themselves !³ And on June 5th we find Peel for once in a towering rage, thus scornfully treating the Lords’ ‘ Amendments,’ when submitted to the Commons :—‘ Considering that they were Amendments made by the House of Lords under menace and compulsion, he cared not on what day, or how soon he should be invited to agree to them ! If he had been a Peer, he would have persisted in opposing the bill, perfectly uninfluenced by the consideration whether such a course of proceeding might possibly lead to the creation of sixty or one hundred Peers.’⁴

Cautiously, brave Sir Robert ! Lord Althorp justifies that exercise of the prerogative by a reference to ‘ *the present circumstances of the country*,’—the very argument by which you yourself in 1829 carried a far rasher revolutionary

¹ Hansard’s *P. D.* (third series), vol. xii. p. 923.

² *Ibid.* p. 1096.

³ *Ibid.* vol. xiii. p. 374.

⁴ *Ibid.* p. 423.

measure. The chicks are coming home to roost ; others are learning to wield the weapons of Wellington and Peel.

And not a whit less absurd was Lord John Russell's talk about this Reform being 'final' and a 'security' in itself against all further change, than were Peel's own pledges regarding the Act of 1829 being a 'final adjustment' of the claims of Roman Catholics. Lord John tried to smooth the ruffled susceptibilities of opponents, as the bill was passing off into law, by accepting it as final, and declaring 'that both those who supported it, and those who opposed it were *determined to go no further*.'¹ Of course, but what about those to whom you have surrendered, what use will they make of the concessions wrung from your grasp? They give you no pledge in the case of the Reform Bill, but if they had it would have been utterly valueless ; as they gave you a pledge in the case of the Relief Bill, and have since torn it into shreds. There can be *no finality* in political expediency, however you may find it in political principle.

But no Reform and no Concession seemed to have any beneficial influence in Ireland, at least in the Roman Catholic portions of that distressful country. For, on 2nd July 1832, a discussion in the House of Lords initiated by the Earl of Roden,² reveals to us how utterly fruitless were the so-called Protestant 'sacrifices' of 1829. He moved for an 'Address to his Majesty' setting forth 'the afflicted state of the Protestants in Ireland,' and calling for 'measures to protect the lives and properties of all denominations of his Majesty's subjects.'³ The Earl portrayed 'as daily occurrences there, —organised movements, intimidations making the law a nonentity, attacks on the houses of Protestants for plundering them of arms kept for defence, assassinations taking place in the open day, in presence of multitudes, so intimidated that they durst not give evidence against the perpetrators.'⁴

¹ Hansard's *P. D.* (third series), vol. xiii. p. 462.

² *Ibid.* p. 1189.

³ *Ibid.* p. 1202.

⁴ *Ibid.* p. 1191.

Describing the origin and progress of disaffection, and bringing it home to the 'Popish Party,' he said that in 1830, and for some time after the Act of 1829 had been obtained, 'the country continued quiet; till, all at once, the Tithes attracted their attention, and promises went forth that in three or four years they would be rid of them altogether.'¹ In the propagating of that doctrine, the Earl 'would state fearlessly that the Roman Catholic Clergy had used a simultaneous energy,'—not a bad attempt at euphemistic description of conspiracy against the laws! They had assisted at Cork on 21st June, in presence of 20,000 of a procession, in 'lowering two coffins into their graves, inscribed "Tithes—Church Rates—and Cess," and performed a mocking funeral service!'

They had told the people at Dublin and Meath 'that they must neither pay Tithes, nor deal with any one who did so.' A letter from Clare informed him 'that, in parts of that county, Protestants could get no provisions but what were bought under an escort of troops.'² We thus come across our old friend, 'Exclusive Dealing.' It has got in modern days the new name of 'Boycotting.' The thing itself, however, is not new, it is simply the Popish penalty of 'Excommunication' in the hands of Laymen; but every ghastly and cruel detail is borrowed from the repertory of Rome.

It was in this discussion that Wellington, completely taken by surprise, pronounced the memorable condemnation of his own policy of 1829, though not intending to do so. He confessed 'that former disturbances,' to appease which he had made the great sacrifice of his own dearest convictions, 'were trifling compared with the scenes of which Ireland was now unhappily the theatre.' He added, however, by way of self-vindication, 'that on these former occasions of disturbance there was in reality a public grievance, but that griev-

¹ Hansard's *P. D.* (third series), vol. xiii. p. 1192.

² *Ibid.* p. 1199.

ance had now been removed.'¹ Exactly so,—*he* thought that the Relief Bill removed all Roman Catholic grievances, never dreaming that they would presume to differ from his opinion! They had still what they considered *Grievances*; and they had, thanks to Wellington, new powers of disturbance and of intimidation. These weapons had prevailed before; why should not they prevail again, and again, till all had been surrendered for which the Roman Catholics cared? As Lord Plunkett immediately reminded the Duke,—‘He had placed the concession to Roman Catholics on its true ground—their having a grievance. So they had a grievance, at least they thought so, in this matter of the Tithes. And that was sufficient to explain these revolutionary movements.’²

It must be allowed that for those who passed the Relief Act of 1829, on the grounds urged by its promoters at least, the reasoning and the action of the Roman Catholic partisans were at once unanswerable and unassailable. Their hands were tied; their mouths were effectually shut. And this is true of Wellington above all others.

The motion of Earl Roden was, however, lost by a majority of 41; and the King was not further troubled in his dreams by these Irish ghosts.³

Even the gravest students of history will excuse this Parliament one half hour of laughter, ere it passes out of view, and makes way for the First Reformed Parliament to enter on its strenuous toils. It was occasioned by Mr. Henry Hunt, Member for Preston, presenting a petition on the RIGHTS OF WOMEN, from Mary Smith of Stanmore, Yorkshire. The question has become serious enough for some politicians in these days of ours, and may probably in the near future win or lose seats, and make or unmake Cabinets; but in 1832, it woke inextinguishable laughter!⁴

¹ Hansard's *P. D.* (third series), vol. xiii. p. 1207. ² *Ibid.* p. 1216.

³ *Ibid.* p. 1236. ⁴ *Ibid.* vol. xiv. p. 1086.

Mary Smith set forth in her Petition, 'that she paid taxes and did not see why she should not have a share in the election of a Representative; . . . that Women were liable to all the punishments of the laws, and ought to have a voice in the making of them; . . . that even upon their trials, both Judges and Jurors were all of the opposite sex; . . . that she could see no good reason for the exclusion of Women, whilst the highest office of the State, the Crown itself, was open to them; . . . and that the Petitioner expressed her indignation against those vile wretches, who would not marry, and yet would exclude Women from a share of Legislation! She prayed, therefore, that every unmarried Female, having the necessary pecuniary qualification, should be entitled to vote for Members of Parliament.'

Sir Frederick Trench, entering into the humour of the situation, pointed out that it would be 'rather awkward for a Jury, half male and half female, to be locked up together for a night;' and hinted 'that it might lead to rather queer predicaments.' But Mr. Hunt turned the laugh upon Sir Frederick, by coolly retorting, unwilling or unable to see the joke,—'that he well knew that the Honourable and Gallant Member was frequently in the company of ladies for whole nights;' and adding, amidst the uproarious merriment of the House,—'He had not heard that any mischief resulted!'¹ In this grotesque form does the 'Woman Suffrage Movement' first cross our path, in these old Parliamentary annals.

SECTION III

The Reformed Parliament and its Irish Friends

THE Eleventh Parliament of the United Kingdom, summoned to meet on 29th January 1833, brought back the first fruits of the Reform Bill, but brought no surcease from

¹ Hansard's *P. D.* (third series), vol. xiv. p. 1086.

Irish disturbances or Popish Claims. Before the middle of February, Government were compelled to bring in 'Bills for suspending *Habeas Corpus*, and for establishing Courts Martial in Ireland ;' ¹ while, from the other side, the case of 'Roman Catholic soldiers in India' was being groaned over in endless speeches,—'men who were suffering much mental torture, in consequence of being deprived of the comforts of Religion, for which the Government had made no provision.'²

But a more important and every way more ticklish subject was tackled on 11th February, when a discussion was initiated on 'the meaning of the Oaths taken by the Roman Catholic Members.' The Honourable Charles Langdale, referring to the interpretation put upon the Oath by Dr. Lushington, remarked 'that it was disagreeable to any Roman Catholic to be told before giving his vote that he had taken an Oath which prevented him from voting in a particular way.'³ But Lord Althorp, for the Government, replied:—'That Ministers had no business to give any interpretation of the Oath, nor ought they to be called on for their opinion.'⁴ O'Connell, on the other hand, had no difficulty on the subject; his interpretation was slippery enough to do credit to any Jesuit from Maynooth:—'Roman Catholics were bound, as were the Protestants also, to support the Church Established, so long as that continued to be the law; but as a Legislator, he considered it perfectly competent to him to make any proposition for, or to be any party in, altering these laws.'⁵ So that the words of the Oath against using any privilege to 'weaken or disturb' the Protestant Establishment, worse than being merely a dead letter, conveyed a positive falsehood!

This burning theme was again revived, on 1st April, in an intense and concrete form. The House was about to go

¹ Hansard's *P. D.* (third series), vol. xv. p. 719.

² *Ibid.* p. 218.

⁴ *Ibid.* p. 480.

³ *Ibid.* p. 477.

⁵ *Ibid.* p. 481

into Committee on the 'Church Temporalities Bill' for Ireland, when Mr. Andrew Johnstone 'moved that the Oath contained in the Relief Bill, to be taken by Roman Catholics on sitting down in that House, be read.' It was introduced into that bill 'to prevent Roman Catholics interfering in that House in any way so as to injure or weaken the Church Establishments.' In the last Parliament, 'Lord Killeen and the Member for York both declared that they considered themselves bound by their Oath as Catholic Members to abstain from any decision on such subjects.' In this Parliament, an Honourable Member, Mr. O'Dwyer, 'when talking of destroying the Irish Church, was immediately reminded by the Honourable and Learned civilian (Dr. Lushington), that by his Oath as a Catholic Member, he was precluded from doing anything which would tend to injure or weaken the Protestant Church Establishment in England or Wales.'¹ He called upon Roman Catholics 'to observe the conditions upon which their equality of Civil privileges had been conferred.'²

Dr. Lushington rose to explain, and so far to modify, the impression as to his meaning, saying:—'That when an Honourable Member, a Catholic, talked of "destroying" the Church, and he read to him, in the warmth of the moment, the terms of the Oath,—he did not contend that Catholic Members, or any other Members not belonging to the Established Church, had no right to interfere, or take part in any question which might come before the House; but to show that Honourable Member that a sense of duty and of his obligation on Oath, ought not to permit him to talk of "destroying" the Establishment, which he had sworn not to injure or weaken.'³

All which was wisely and gently spoken; but unless the Oath, 'not to use any privilege to disturb or weaken the Protestant Establishment,' precluded the Roman Catholic

¹ Hansard's *P. D.* (third series), vol. xvi. pp. 1348, 1349.

² *Ibid.* p. 1350.

³ *Ibid.* p. 1353.

Member, who solemnly swore it, from taking part in Dis-establishment and Disendowment crusades out of doors, or debates within the House,—then, we repeat, it was worse than meaningless, it was a positive falsehood. They deliberately took an Oath which they had deliberately resolved not to keep,—a thing eternally immoral and unjustifiable by any pleas.

The Church Temporalities Bill, to which the above was a fiery prelude, was, of course, promoted by ‘friends’ of the Church of Ireland, avowedly to ‘strengthen and preserve it ;’ but was, all the same, regarded by the Roman Catholics as *the first step of surrender* to their clamorous demands. They had adopted the contentions of Mr. Joseph Hume, and were resolved to prove the truth of his assertion in a former debate :—‘That the entire removal of the Church Establishment in that country was indispensable to the restoration of its tranquillity.’¹ Lord Althorp and his colleagues vainly tried to persuade themselves, as did Peel and Wellington in 1829, that they could surrender ‘thus far and no further.’ But, as before, their concessions,—whether wise or unwise, we need not wait to discuss,—were immediately and effectually turned into arguments for other and yet other surrenders ; until, at length, the Irish Church Establishment had to be cast overboard once for all, as our History will relate.

Meantime, the Temporalities Bill, paraded as another ‘security’ to the doomed Church of Ireland, was founded on those three resolutions :—‘(1) To appoint Ecclesiastical Commissioners ; (2) the abolition of First Fruits, and, in lieu thereof, an Annual Assessment ; and (3) that Vestry Assessments (for any of the purposes to which the above assessment may be liable) should be abolished.’²

During the remainder of this session, that is, from April till August 1833, petitions kept pouring into both Houses

¹ Hansard’s *P. D.* (third series), vol. xv. p. 927.

² *Ibid.* vol. xvi. p. 1354.

regarding this Church Temporalities Bill, and other cognate themes of assault. Mr. George Faithfull, of Brighton, however, varied the battle by attacking the 'Church of England as by law established,' and moving 'that the greater part, if not the whole of its Revenues, ought to be appropriated to the relief of the Nation.'¹

Mr. William D. Gillon, for Linlithgowshire, presented petitions from Voluntaries in Scotland 'for the abolition of the Church Establishment in Ireland,' who considered 'that all alliance between Church and State was un-Scriptural and injurious.' He himself was assured 'that no measure would ever be devised to tranquillise Ireland till the Church Establishment there was completely extinguished.'² Gently, Master Gillon! While we rewrite your words, that Establishment has been 'extinguished' for above twenty years; but no tranquillity has dawned on Ireland, at least, on the Roman Catholic portion of Ireland. They have 'grievances' still; the cry is for still further 'concessions.' Think you, is not the root of the mischief something which no Political remedy can touch? Is it not the poison of Papal Claims?

Mr. Fergus O'Connor, for instance, still further varied the fray by presenting voluminous petitions for 'Repeal of the Union,'³ and was supported by Mr. Richard L. Sheil, of Tipperary, who proclaimed 'the absolute necessity for the Repeal of the Legislative Union.'⁴ All which Mr. George Sinclair, of Caithness, thought he wiped out by saying,—'If I were writing a dictionary of synonyms, "the Dismemberment of the Empire" would stand equivalent to "the Repeal of the Union."'⁵

Finally, in the House of Lords, ere the session closed, the presentation of petitions 'against the Irish Church Reform Bill' drew forth a kind of manifesto from the Duke

¹ Hansard's *P. D.* (third series) vol. xvii. p. 178.

² *Ibid.* pp. 909, 910.

⁴ *Ibid.* p. 475.

³ *Ibid.* vol. xix. p. 471.

⁵ *Ibid.* p. 474.

of Wellington on the one side, and from Earl Grey on the other, at which we must, in closing this section, hurriedly glance.

The Duke 'considered the policy of the Church Temporalities Bill inconsistent with the policy of this country since the Reformation, and more especially since the Revolution; since which time it had been the uniform object of Parliament to maintain the Protestant Established Church in Ireland in all its integrity.' Further, 'in the abolition of the Test and Corporation Acts in 1828, and in the great measure of Catholic Emancipation¹ in 1829, the first object of Parliament was to maintain, as far as possible, the Protestant Religion as established at the Union.'² Granted, that Parliamentary leaders might have that intention; but they surrendered to agitation—they admitted to political power the enemies of the Church Establishment—and they must reap the whirlwind, for they have sown the wind!

The Duke further added—the echoes of other controversies still filling his mind—'that it was impossible to maintain the Coronation Oath in its integrity, if this bill received the Royal assent. His Majesty positively swears, at his Coronation, that he will maintain inviolate the Principles and Temporalities of the Church. . . . He could not draw a distinction between the Legislative and the Executive capacity of his Majesty; and he would defy any man to show that his Majesty could by any possibility give his assent to that bill, or to any one containing such provisions.'³

Earl Grey treads the old paths in his reply,—'that this bill was founded upon a sincere and honest attachment to the Church of England and Ireland, united as they were by law, and that it was intended to strengthen and support that

¹ See p. 293, where the Duke considers it an insult to apply that term to the Relief Bill.

² Hansard's *P. D.* (third series), vol. xix. p. 551.

³ *Ibid.* p. 552.

Church ; and that, if carried into law, it would be found not inconsistent with, but eminently conducive to, the best interests of the Protestant Church.'¹ Possibly ; these are exactly the words in which Wellington and Peel maintained that the bill of 1829 was to strengthen the Protestant Establishment. At the same time, whatever might be their intentions, the promoters of the former measure and of the latter were certainly paving the way that led to the destruction of that Establishment, which they were binding Roman Catholics, by solemn oath, neither to 'weaken nor disturb.' History plants that responsibility there, and nothing can remove it.

But Earl Grey's *argumentum ad hominem* was inimitable and effective—regarding the Coronation Oath. He recollected 'when that objection was urged quite as strongly and as vehemently against the measure which was introduced by the noble Duke for the relief of Roman Catholics. If the argument derived from the Coronation Oath was inapplicable, as the noble Duke must have felt it to be, looking to the principle on which the Catholic Bill was passed, the argument founded on it was, if possible, still more untenable now !'²

The old Duke was surely to be pitied in those days, when new conflicts were being waged against Institutions which he held dear as his life ; and waged, alas, with the deadly weapons which he himself had forged for an altogether different purpose, and which in his great surrender had passed into the hands of the enemies of his Church and his Country—the Militia of Rome. For, whoever may 'move' in Parliament, and whatever may be the 'issue' of these debates, one force, and one alone, steadily constrains them all, and turns everything to its own advantage. That force is the Papacy. Papal Claims in Ireland, backed by agitation,

¹ Hansard's *P. D.* (third series), vol. xviii. p. 552.

² *Ibid.* p. 554.

fed on disaffection, bring about the 'expediency' and the 'necessity' of which we hear so much in Parliament, and by which every concession from 1829 till the present hour has of course been supposed to be justified.

The First Reformed Parliament was kept sufficiently busy by its Roman Catholic and Irish friends. During the remainder of the session of 1833, the 'Marriages Bill' and the 'Tithes Arrears Bill' occupied a great part of the time of Government and of the House. The finger of the men who had come in by the Relief Act of 1829 was conspicuous in both. In the next and last session, which opened in February 1834, they were plunged at once into the endless turmoil over 'Repeal of the Union' and 'Abolition of Catholic Oaths.' When petitions for Repeal were being presented and applauded on 18th February, Lord Althorp, then Chancellor of the Exchequer, ventured mildly to remark 'that it appeared extraordinary to him how the connection of an opulent and a poor country could be injurious to the latter,' but was at once overwhelmed by the towering abuse of O'Connell—'the leech swells with the blood it sucks!'¹

The other debate was inaugurated by the great agitator himself on 11th March, on the 'Oaths of Catholic Members.' However lightly or loftily he and others might interpret the Oath not 'to use any privilege to weaken or disturb the Protestant Establishment,'² there were several Roman Catholics in Parliament, and thousands in Ireland, whose consciences were galled and restive under the yoke of that Oath. Thus urged on, though his own interpretation amply satisfied his own less sensitive soul, O'Connell moved 'for a Committee to consider the Oaths.' His object, he frankly avowed, was 'to abolish all Religious Oaths.' He felt 'disgusted, as a Catholic, that any one in that House should put a different construction upon the Oath which he had taken,

¹ Hansard's *P. D.* (third series), vol. xxi. p. 465.

² *Ibid.* vol. xxii. p. 15.

from that which he solemnly felt it ought to bear.’¹ But there was ‘a part of the Oath which he considered a complete insult,—declaring that it was not an article of his faith that excommunicated Princes might be ‘deposed or murdered.’ What right had the House to insult him by calling upon him to take such an Oath?’² This is magnificent,—as if Protestants had invented the whole idea about ‘deposing and murdering’ Princes whom Rome ‘excommunicated’!

As to ‘not exercising any privilege to disturb or weaken the Protestant Religion or Protestant Government,’ O’Connell scornfully, but after all, since 1829, not irrationally, asked,—‘*what was the meaning of Protestant Government now in this country?*’ Was a man satisfied to swear that the Government was Protestant, when the whole of it might be Catholic? The whole of the Judicial seats might be filled with Catholics, with the exception of the Chancellorship. In the Navy, the Army, and the Magistracy all might be Catholics.³ . . . Was it safe, then, to swear that such a Government was a Protestant Government, when there were only two offices, the King and the Chancellor, at all connected with it, whom it was necessary should be Protestants?’⁴ This, from a representative Roman Catholic, must have galled many hearts in that House. Had they not sacrificed their life-long and dearest convictions to ‘secure’ the Protestant character of the Government, and the Protestant interests of the country? And here they are being told by one of their ‘emancipated’ friends, with a cruel candour, what their opponents charged against them from the first,—that they had undermined, in fact ‘destroyed,’ the Protestant character of the Constitution. And the bitterness of the charge is that it was certainly, in a large measure, unanswerably true.

Again, as to the part of the Oath denying the Pope’s

¹ Hansard’s *P. D.* (third series), vol. xxii. p. 16.

² *Ibid.* p. 19.

³ *Ibid.* p. 21.

⁴ *Ibid.* p. 22.

authority within this realm,—‘he could conceive of a Protestant declaring that there ought to be no such thing ; but that the Pope had no authority or supremacy here, he did not see how that could be sworn by a Protestant, in the presence of a man like himself, who acknowledged that Supremacy!’¹ They might swear, as Protestants, what they liked, but the facts were there before their eyes,—the Pope had ‘authority’ over every Roman Catholic in the kingdom, and their Oaths had no effect on that. And he drove home this plea by an *argumentum ad hominem*, to which there was and could be no answer, at least from those who sanctioned Maynooth,—‘When a College for the Education of Roman Catholic Clergymen was supported by Act of Parliament, and visitors, Catholic and Protestant, appointed over it by Act of Parliament,—that Act expressly ordering that all matters relating to the doctrine and discipline of the Catholic Church should be under the control of Roman Catholics,—it was most absurd to make the solemn attestation before God, in that House, that the Pope had no Spiritual Authority in these realms! There might have been some feasible excuse for such an assertion, when Parliament consisted exclusively of Protestants, and when that Parliament, one and all, were united in renouncing that authority ; but of what use was it now?’²

O’Connell here drove a very sharp weapon, and mercilessly used it, against the very supporters of Roman Catholic Claims, who had ‘emancipated’ him, and put that weapon into his hands. Lord Althorp felt the cruel ingratitude of the attack, and feebly protested ‘that, after what occurred only five years ago, it was unwise to open the question again!’³ But Sir Robert Peel, a man of sterner grit, was put upon his mettle, and grappled strongly with the issues. He regretted exceedingly ‘that this question

¹ Hansard’s *P. D.* (third series), vol. xxii. p. 23.

² *Ibid.* p. 23.

³ *Ibid.* p. 25.

had been agitated at all.' He openly admitted, and how much this must have cost him after all his protestations of five years ago, 'that if it could have been foreseen by the people of England in 1829'¹ (*Query*—Did the people not foresee it, and tell Peel by ten thousand petitions that this and worse would happen? It was the 'Emancipators' who refused to see, or foresee, anything but what they vainly desired!) 'that within the short space of five years from the passing of the Act, which removed from Roman Catholics every Civil Disability under which they laboured, an attempt would be made to Repeal the Oaths which were devised as "securities" by the framers of that Act, and that such an attempt would be made by a Roman Catholic Member of so much weight and influence with his fellow-Catholics as the Honourable and Learned Member for Dublin, *the difficulties which attended the passing of that Act of Relief would have been greatly, perhaps insuperably, increased.*'²

This must have been a humiliating moment for the proud spirit of Peel, to be forced to admit that all the forecasts of his opponents in 1829—yea, his own forecasts all his lifetime before that fatal surrender—were thus beginning to be most cruelly realised. He continued, therefore, with scarcely concealed resentment, 'that after both the People of England and the House of Lords had been prevailed on to consider these Oaths to be valid Securities against the dangers which they apprehended,—or, if not valid Securities, to be at least the best that could be devised,—nothing could be more unwise, nothing more calculated to check all liberal concessions in the future, than this proposition of the honourable and learned gentleman to set aside the very conditions on which the Disabilities had been removed.'³

Maybe ; unwise, ungenerous, ungrateful, and all the rest of it ; but exactly of a piece, as all our History attests, with

¹ Hansard's *P. D.* (third series), vol. xxii. p. 28.

² *Ibid.* p. 29.

³ *Ibid.* p. 29.

the unfailing Policy of the Church of Rome. And if statesmen refuse to believe this, and ignore the lessons of the ages,—if they will calculate upon the Papacy being ruled by other and more generous motives, they must suffer accordingly. Rome is less to blame than are these dupes of their own illusions.

Proceeding to deal with the issue raised by the motion, Peel said—‘the House was well aware that the Oath was not imposed for the first time by the Relief Bill;’ and, turning on O’Connell, asked, ‘Was not the Honourable and Learned gentleman aware that, under an Act by the Irish Parliament in 1793, he was required to abjure on Oath many principles and doctrines imputed to the Roman Catholics, and that he could not have been called to the Bar without so abjuring them?’ Let the House ‘compare the Oath prescribed by the Act of 1793, and that prescribed by the Act of 1829, and it would see how much less reason the Roman Catholic had to complain of the latter than of the former!’¹

Again, with respect to the Oath of Supremacy, ‘the Honourable and Learned gentleman must be aware, that there was a period in the history of the country, when Roman Catholics themselves did not object to take that Oath. They did not, of course, thereby mean to deny to the Pope a purely Spiritual authority over those who were willing to recognise it; all that they disclaimed was an authority sanctioned by law—a power to enforce an Ecclesiastical Jurisdiction, or Claim of Superiority; they construed the Oath to mean the negation of any power in the Pope to enforce his wishes by legal process.’²

Peel and his friends may ‘construe the Oath’ as they please; but O’Connell, and the abettors of Papal Claims, can also try their hands at ‘construing;’ and they have declared it to be an ‘insult’ to their Religion; so that what was once meekly swallowed for a purpose, and as a ‘security,’ is now

¹ Hansard’s *P. D.* (third series), vol. xxii. p. 30.

² *Ibid.* p. 33.

exalted into one of the 'grievances' of Ireland, that is, of Roman Catholic Ireland.

Dr. Lushington, either in a mood of cynicism, or in a prophetic spirit far in advance of his day, 'rose to state his opinion that no Oath whatever ought to be required from any Member of that House! He had never yet been able to discover that the administering of these Oaths had been attended with any benefit. Whenever an inducement sufficiently strong occurred, and the circumstances of the time were favourable, there had been no hesitation in violating the Oaths on all sides.'¹

But Sir Robert H. Inglis, addressing himself to O'Connell, argued thus,—'The Honourable and Learned gentleman asked, what was meant by a Protestant Government? Grieving, as he should never cease to grieve, at the measure which had placed the Honourable and Learned gentleman in that House, yet he felt that, so long as the Honourable and Learned Member, and those who agreed with him in Religious opinion, took, as they were bound to take, that Oath (pledging them "not to disturb or weaken the Protestant Establishment"), he regarded it *pro tanto* as a "Security" for his Church. So long as the Honourable and Learned Member did that, and so long as such a protection as the Coronation Oath was afforded for the Protestant Establishment of the country—so long as the House claimed that Oath to guard the National Church, his answer would be that the Government was essentially a Protestant Government, and that the King was a Protestant King.'²

Alas, Sir Robert, if that Oath be all your 'Security'! For, either the Oath may be abolished and the way cleared for the overthrow of the Church Establishment; or the Roman Catholic conscience may abolish the Church, and hold that the Oath does not tie their hands. The motion was for the time withdrawn; but its aim was now one of

¹ Hansard's *P. D.* (third series), vol. xxii. p. 33.

² *Ibid.* pp. 37, 38.

the burning questions of the day, and Agitation, riding on the back of Popish disaffection in Ireland, set itself to force this concession also, and by the old familiar means.

During April 1834, several of the balls, now being played by Roman Catholics, were kept merrily rolling on the Parliamentary floor. The *Maynooth Grant* ball was played more strongly than ever, and carried by a majority of 126, in spite of this vigorous protest by Mr. George H. Sinclair of Caithness,—‘That the College at Maynooth was the great source of the evils which afflicted Ireland; that it was a dangerous institution; and that those who were educated there were, in the opinion of persons best qualified to judge, less well-affected than the others to the institutions of this country.’¹ He should ‘as soon think of granting money for the education of Officers, who, when carefully trained at the public expense, would direct all their efforts to the subversion of our Civil Institutions!’²

The *Repeal* ball was also played with tremendous vigour, amid noisy and long-drawn debates, though O’Connell’s ‘motion’ was contemptuously thrown out by 523 votes against 38;³ and, on the other hand, an ‘Address’ to his Majesty was carried by both Houses, declaring ‘their fixed determination to maintain unimpaired and undisturbed the Legislative Union between Great Britain and Ireland.’⁴

Again, the *Education* ball was played by Mr. Richard L. Sheil,—‘moving for leave to bring in a bill to enable Roman Catholics to hold professorships and scholarships in the University of Dublin, such as are unconnected with Religious instruction.’⁵ But the House was counted out, while Mr. Thomas Lefroy of Dublin University was arguing ‘that this would be the first step to the subversion of the Irish University, and, through the subversion of that nursery of the Irish Church, to the total extinction of the Protestant

¹ Hansard’s *P. D.* (third series), vol. xxii. p. 968.

² *Ibid.* p. 969.

³ *Ibid.* vol. xxiii. p. 286.

⁴ *Ibid.* p. 291

⁵ *Ibid.* p. 766.

Religion in Ireland!’¹ Mildly, Mr. Lefroy. The Protestant Religion will have to struggle to survive worse calamities than any yet threatened, if the men ‘emancipated’ in 1829 are to have their way.

Mark now the line of attack, and how the hand of a squeezable Government is to be forced. On May 27th, Mr. Henry G. Ward tabled a motion,—‘That it is the opinion of this House that the Temporal Possessions of the Church of Ireland, as now established by law, ought to be reduced.’² And, lest there should be any mistake as to the inspiring force that dictated such proposals, Mr. George Grote eloquently contended—‘that the Establishment in Ireland was a monument of Protestant Ascendency, and an insult to every Catholic.’³

The old plea, the familiar cry—an ‘insult,’ a ‘grievance!’ And quite right, from their point of view; the very existence of Protestantism, of Protestant Government, is, and must ever be, an insult and a grievance to a genuine Irish Roman Catholic. Hence the hopeless futility of trying to conciliate by concessions. *You can only remove the grievance by removing Protestantism!* So, as might be expected, the Government had the discussion ‘adjourned’⁴ till the following Monday,—meditating another surrender to appease the unappeasable.

Before the subject was resumed, there had been a reshuffling of seats in the Cabinet. The Duke of Richmond and the Earl of Ripon had ‘resigned owing to differences as to the appropriation of Church Property in Ireland.’⁵ And Lord Althorp took the wind out of Mr. Ward’s sails, and postponed for a little season the day of reckoning, by announcing the Government’s appointment of ‘Lay Commissioners of Inquiry to visit on the spot, and to report to the House.’ The majority against Ward’s motion was 276.

¹ Hansard’s *P. D.* (third series), vol. xxiii. p. 766.

² *Ibid.* p. 1368.

³ *Ibid.* p. 1399.

⁴ *Ibid.* p. 1400.

⁵ *Ibid.* vol. xxiv. p. 10.

For our present purposes, however, a few sentences from the close of Peel's speech will show its connection with this History, and, at the same time, the pitiful collapse of the dream of 'Emancipators' in 1829. Sir Robert concluded with 'repeating that if, upon such grounds as these on which his Majesty's Government were prepared to act, the House countenance the principle of appropriating to secular purposes the property of the Church, it was weakening the foundation of all property, and alienating the minds of the Protestants of Ireland, who reluctantly consented to the removal of the Civil Disabilities of Roman Catholics,—under the strongest assurance that the removal of these Disabilities would redress every grievance, and would restore complete Political equality and Public tranquillity.'¹ A more abject confession that he had been befooled and baffled, in the gravest transaction of his life, was surely never wrung from a great statesman in the face of Parliament and of the Nation.

Towards the end of the session, a very lurid picture was painted for the instruction of the Government, and of all who were bitten by the craze of concessions to Popery. It illustrates many things in our History. It is one of the biggest windows opened by our annals into the heart of the Roman Catholic Ireland of that day, and we must, for a brief space, gaze on what it reveals. We may call it—*the Burning of the Bible Scene*. Mr. Francis Shaw, of Dublin University, introduced it to the House by presenting a Petition, and explaining 'that there had been an ostentatious burning of the Bible at Shinrone in King's County, at noonday, in the most public manner and under very aggravating circumstances.' The Petition was 'signed by 600 persons, by the Deputy-Lieutenant, several Magistrates, and all the respectable residents of the neighbourhood.'² Mr. Atkinson, a Magistrate of the County, certified 'that there was on his

¹ Hansard's *P. D.* (third series), vol. xxiv. p. 70.

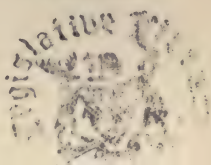
² *Ibid.* pp. 440, 441.

estate a poor family of the name of M'Guinness, whose oldest daughter was in the last stage of consumption.' When the Priest 'came to visit her, and observed, on the shelf of the sick room, a Bible, he inveighed against its mischievous and dangerous tendency, and required that the Bible be forthwith burned.' The mother and daughter 'strongly protested; but the Priest persisted, carried out the Bible to the public road, and called for fire. After hesitation, an old woman, from an adjoining hamlet, brought a lighted coal, which was applied by the Priest to the Bible, and then he carried it back into the cottage, and threw it into the fire!' In the meantime, 'the poor sick girl had concealed in her bed a Testament, which had stood by the Bible; and a younger daughter was despatched to the field to call her father. He saw the Bible spread out upon a large fire, the Priest standing over it, and took up a spade by which he lifted it out of the fire; but was then quite consumed.'¹ The Magistrate says,—'The only surprise is that, upon such a subject, even so much information could be obtained. I owe my knowledge of it to the accident of the affair having taken place on my own property—where, perhaps, my influence procured me information. There are many witnesses, all of whom strongly and many, I believe, sincerely reprobate the act; yet they are unwilling and afraid to speak. The fact is, however, so notorious that no attempt has been made to deny it.' The speaker denounced the transaction 'as a gross violation of the rights of conscience and of private property; and as a great offence against public decency and decorum.'²

Alderman Copeland, of Coleraine, 'confirmed every word that had been spoken.' On the other hand, Mr. Andrew C. O'Dwyer, of Drogheda, minimised the affair, so far as he could, by declaring 'that the matter was to be attributed to certain fanatical gentlemen of the Establishment, one of

¹ Hansard's *P. D.* (third series), vol. xxiv. p. 441.

² *Ibid.* p. 442.



whom had improperly interfered with the Priest; and the latter seemed to have retaliated in a very improper manner certainly!’¹ This is exquisite. The ‘fanaticism’ is on the other side. To circulate the Bible is to ‘interfere’ with the Priest! The apology is a bitter accusation.

But Mr. George Finch, of Stamford, ‘anxious that Protestants should know the true spirit and character of the Church of Rome, as well as the influence that the Roman Catholic Priest in Ireland possessed, and how that influence was used to prevent the people from reading the Bible,’ declared—‘that if any person was found with a Bible, without permission of the Priest, the remission of his sins was refused.’ This being met, as all such statements are, with cries of ‘No! No!’ he proceeded calmly to adduce his ‘proof.’ It was an extract ‘from the *fourth rule* of the Council of Trent, *De Libris Prohibitis*, approved of by Pope Pius IV.,’ and ran in these terms,—‘Since it is manifest by experience that if the Holy Bibles, in the vulgar language, are permitted to be read everywhere without discrimination, more harm than good arises, let the judgment of the Bishop or Inquisitor be abided by in this particular; so that, after consulting with the Parish Minister, or the Confessor, *they may grant permission* to read translations of the Scriptures made by Catholic authors to those whom they shall have understood to be able to receive no harm, but the increase of faith and piety for such reading, *which faculty let them have in writing*; but whoso shall presume to read those Bibles, or to have them, without such faculty, shall not be capable of receiving absolution of their sins, unless they have first given up their Bibles to the Ordinary.’²

To prove further that the Priests of Ireland acted in strict accordance with the rules of the Council of Trent, Mr. Finch quoted these words from Dr. Doyle, the famous

¹ Hansard's *P. D.* (third series), vol. xxiv. p. 442.

² *Ibid.* p. 443.

J. K. L.—‘I heard of a poor man in the County of Kildare, who, when I gave him a Bible, venerated it more than anything he possessed ; but having been favoured, by the lady of his master, with one of the Society’s Bibles, “without note or comment,” accepted it with all the reverence which a fear of losing his situation inspired ! But, behold, when the night closed, and all danger of detection was removed, he, lest he should be infected with heresy, exhaled from the Protestant Bible during his sleep, took it with tongs, for he would not defile his touch with it, and buried it in a grave which he had prepared for it in his garden. I do admire the orthodoxy of that Kildare peasant ; nay, I admire it greatly ; and, should I happen to meet him, I shall reward him for his zeal !’¹

Colonel Perceval, of Sligo, ‘thought it one of the greatest curses of Ireland that the Priests were above the law, and were permitted to do what they liked with impunity. No man, who knew anything of Ireland, could doubt that Roman Catholics were prevented, as far as Priests could prevent them, from reading the Bible. So late as May, 1824, Pope Leo XII. issued an encyclical, published with Pastoral Instructions to all the faithful by the Archbishop and Bishops of Ireland, in which occur these words,—‘We also, venerable Brethren, in conformity with our Apostolic duty, exhort you to turn away your flock by all means from those poisonous pastures (the Scriptures in the vulgar tongue). Reprove, beseech, be constant in season and out of season, in all patience and doctrine, that the faithful intrusted to you, adhering strictly to the rules of our Congregation of the *Index*, be persuaded that, if the Sacred Scriptures be everywhere indiscriminately published, *more evil than advantage will arise thence*, on account of the rashness of men’² (p. 16). And Dr. Doyle, in his Pastoral Instructions, refers to that passage thus: ‘Our Holy Father recommends to

¹ Hansard’s *P. D.* (third series), vol. xxiv. p. 444.

² *Ibid.* p. 445.

the observance of the faithful the rule of the Congregation of the *Index*, which prohibits the perusal of the Sacred Scriptures, in the vulgar tongue, without the sanction of a competent authority; and in this sentiment of our head and chief we fully concur.'

The Colonel continued 'that it was the bounden duty of Parliament to protect the peasantry of Ireland, in the free exercise of their opinions, and allow no man to prevent their reading the Word of Life. He hoped the time was not far distant, when Roman Catholics Priests in Ireland would be brought within the law, and not permitted with impunity to oppress those that were committed to their care. Until that occurred, he despaired of seeing Ireland restored to tranquillity.'¹

The incident is one of many that might be given from our Parliamentary annals, more truly illustrative of the dominant spirit of Popery than the wisest pages of our wisest authors. In this burning of the Bible, in the fulminations of J. K. L., and in the Letters of the Popes, whatever 'liberal Catholics' here and there may be permitted to say, *we see Popery as it is, and as it will be, wherever it has the power, wherever it dares to assert its full claims.*

The First Reformed Parliament sputtered out rather disgracefully. Church Temporalities and Tithes Bills, and Suppression of Disturbances, were filling all the vision during July and August 1834. Earl Grey 'resigned' on 17th July,² apparently because the matters before the Cabinet, relating to disturbances in Ireland, had been communicated by Chief Secretary Stanley to O'Connell—the prime cause of the mischiefs there. Viscount Melbourne undertook to form a Ministry. But, on November 14th, he seems to have been rather summarily 'dismissed.' And we find that Sir Robert Peel had been 'summoned' from Italy, and took office as Prime Minister and Chancellor of the Exchequer,

¹ Hansard's *P. D.* (third series), vol. xxiv. p. 446. ² *Ibid.* vol. xxv. p. 58.

with Lord Lyndhurst as Lord Chancellor, Wellington as Foreign Secretary, and Aberdeen as Colonial,—with a certain William Ewart Gladstone as Under Secretary, and sitting as Member for Newark in the Parliament of 1835, the Twelfth Parliament of the United Kingdom.

SECTION IV

Five Years after Relief Bill and its Lessons

PEEL was very soon to have a taste of the marvellous power of his old friends, the 'Emancipators' of 1829, for making and unmaking Cabinets. The 'Report of the Committee on the Church of Ireland' had been laid on the table; and, on 27th March, Lord John Russell gave notice that he 'intended to move that the House should resolve itself into a Committee for the purpose of taking into consideration the expediency of applying any of the surplus revenues of the Church of Ireland, not required for the spiritual care of the members of that Church, to the Religious and Moral instruction of all classes of the community.'¹ Mr. George Finch at once acutely asked 'if by "Religious" instruction he meant to include the Religious instruction of the Roman Catholics of Ireland in the principles of the Roman Catholic Religion?'² But 'no answer was given.' Only, to show how superficially such movements are initiated, how they are handles for Party strife and little else to many of the prime movers, the notice was afterwards essentially changed, and for the words 'Religious and Moral,' there was submitted the colourless phrase 'General Instruction.'³

The debate thus launched proved fatal to the Ministry. It reveals also, at this earlier stage, the true moving forces

¹ Hansard's *P. D.* (third series), vol. xxvii. p. 313.

² *Ibid.* p. 314.

³ *Ibid.* p. 770.

against Protestantism in Ireland, with less complication of other interests than does the later debate of 1869, when the Irish Establishment was overthrown. And it throws much sinister light upon the affairs of 1829,—some of the chief actors then, being in the forefront also here. Therefore, in the plan of our History, this struggle must be described.

Lord John Russell's 'motion' was proposed on 30th March,¹ and the conflict raged on unceasingly through the next four sittings, most unduly prolonged. In the course thereof, Mr. Sergeant Wilde, also for Newark, flamed out,—'that a mark of degradation had been placed on the Roman Catholic Church.'² Of course; everything is 'degrading' that denies to Roman Catholics the utmost that they claim!

O'Connell burst in upon the House in his wildest vein,—'I ask you, do you now treat Ireland with fair play or with justice?'³ Pointing out that in England the Religion of the majority of the people was established, as also in Presbyterian Scotland, he cried, in a grandiloquent *Non-sequitur*,—'Well, do I ask you to go the same length in Ireland? No, I do not! I do not want the Religion of the majority of the people to be made the Religion of the State. Ireland would repudiate such a connection, I would reject it!'⁴ In this, as in many other utterances, O'Connell was speaking without a brief from the Priests of Rome; but it served his purpose for the time, it blinded those who were wishing not to see.

After quoting, from Boswell, the opinion of Dr. Johnson regarding the Penal Laws inflicted on the Irish as 'monstrous injustice,' O'Connell shouted to the House of Commons,—'You cannot sell us, you cannot conquer us, you ought to do us justice!'⁵ And there never was, perhaps, a more shameless avowal of the *Gospel of Intimidation* made by any public man, than that with which O'Connell closed,

¹ Hansard's *P. D.* (third series), vol. xxvii. p. 361.

² *Ibid.* p. 686.

³ *Ibid.* p. 716.

⁴ *Ibid.* p. 718.

⁵ *Ibid.* p. 726.

when, in referring to quotations that had been made from his own speeches, he replied,—‘I do not disavow my opinions. They are strong; they are, if you will, extreme. But, do you not know that nothing valuable has ever yet been obtained from the Government except by compulsion? He who wants anything must frighten it; and then he gets something less than he demands!’¹

But the crowning circumstance of this debate was the speech of Sir Robert Peel, now Prime Minister and Chancellor of the Exchequer, both for personal and for permanent reasons. He was ‘induced to overcome his disinclination to appeal to the patience of the House; because he believed that the carrying of this question would be regarded in Ireland as the proclamation of a future system of Government; because he believed that false hopes would be excited in Roman Catholics, and terror inspired in Protestants, unless the House acted with peculiar circumspection.’²

On the principle at stake, he delivered himself in the following statesmanlike manner: ‘I am not disposed to deny that, if you are clearly and decidedly of opinion that an imperative public interest requires the abandonment of the National Compact, the violation of long Prescription, the abrogation of laws affecting Property,—I am not disposed to deny *the abstract absolute right of the Legislature* to do all these things; but I do assert that, before you do them, before you violate a solemn compact, and falsify the expectations to which you have yourselves given rise, you ought to be convinced by arguments, approaching to demonstration, of that overpowering necessity which can alone be your vindication.’³

Thereafter, Sir Robert passed in review the Parliamentary efforts to do ‘justice’ to Ireland, and to bring about ‘concord’ betwixt the Roman Catholics and Protestants there,—

¹ Hansard’s *P. D.* (third series), vol. xxvii. p. 727.

² *Ibid.* p. 729.

³ *Ibid.* p. 732.

inadvertently confirming our contention of the hopelessness of seeking tranquillity by concessions to Papal Claims:— ‘Within the last forty years, three great measures have been adopted affecting the relation of the Protestants of Ireland to their Roman Catholic fellow-subjects. The *first* of these was the Act of Union—a National Compact, involving the conditions on which the Protestant Parliament of Ireland resigned its independent existence; and no right was reserved to the United Parliament to deal with the Property of the Church of Ireland.¹ . . . The *second* was in 1829. The Civil Disabilities of Roman Catholics were removed by the Legislature; and the measure, by which that object was effected, partook also, like the first, of the nature of a Compact, as distinguished from an ordinary law. Therefore, if that Act is, as we feel it to be, irrevocable with respect to the privileges which it conferred on Roman Catholics, it is also, unless some great and urgent necessity should arise to render the change necessary, irrevocable with respect to the assurances which it gave to Protestants.² . . . The *third* and last measure was the Act passed, within the short period of two years, for the reduction of the number of Bishops in Ireland, and the regulation of the Temporalities of the Church. Two years only have elapsed since the date of that Act; and now, notwithstanding the Act of Union, notwithstanding the removal of the Civil Disabilities of Roman Catholics, notwithstanding the extinction of ten Bishoprics, the Learned Member for Dublin tells you, that it is absolutely necessary that a proclamation should go forth to Ireland of a new system, and of the commencement of a new era.’³

Yes, and we who rewrite these words almost at the close of the century, after the Establishment has ‘ceased to exist,’ after countless other ‘Concessions’ have been made

Hansard's *P. D.* (third series), vol. xxvii. p. 732.

² *Ibid.* p. 733.

³ *Ibid.* p. 734.

to secure tranquillity—are still hearing the demand renewed for surrender after surrender, and concession after concession; but the question is forced on us by all the past:—Were a Home Rule Parliament granted to-morrow, would it not still be a ‘grievance’ that it remained ‘subject’ to Britain? Would it not still be an ‘insult’ to the Roman Catholic Church that the majority could not establish and endow their own Religion if they chose? And would it not still be an ‘injustice’ to Ireland to be ruled by a Protestant Sovereign? *There is one concession that would satisfy—only one—and that is the concession to Papal Supremacy.* Short of that, there is no remedy for the disaffection of Roman Catholic Ireland.

The ‘resolution’ of Lord John, regarding the allocation of ‘surplus’ Revenue of the Irish Church to general educational purposes,¹ was carried by a majority of 33; and, on the Report of the Committee on 7th April, we find Sir Robert Peel again concentrating his whole energy on defeating a more stringent form of the same resolution, especially in its bearing on Tithes Legislation. Lord John Russell now moved:—‘That no measure on the subject of Tithes in Ireland can lead to a satisfactory and final adjustment, which does not embody the foregoing resolution.’² Peel resented this in a flaming speech:—‘The noble Lord now called upon the House to declare that all further discussion was unnecessary, that no proceedings in Committee on the Tithe Bill needed to be listened to, that there was but one measure which could effect a final and satisfactory settlement of the Tithe Question, and that was the measure to which a small majority of the House had agreed, with a minority of 300 opposed to it. He did not hesitate to denounce this proceeding as a tyrannical act of the majority³ [vehement cheering for some minutes], by a

¹ Hansard’s *P. D.* (third series), vol. xxvii. p. 770.

² *Ibid.* p. 880.

³ *Ibid.* p. 946.

proceeding of a perfectly novel nature, for which no precedent could be found,—resolving that they would not be convinced, binding themselves to maintain under all circumstances a certain opinion.’¹

With reference to the ‘inviolable preservation’ of the Irish Protestant Establishment, Peel made his final appeal in this lofty, solemn, almost pathetic strain:—‘I shall quote not the opinion of men prejudiced in favour of Protestant Ascendancy. I quote the authority of those who were the most powerful, the most uncompromising, the most effectual advocates for the removal of Roman Catholic Disabilities, and the Establishment of perfect Civil Equality amongst all classes of the King’s subjects. Of *Burke*, who, speaking of the Established Church in Ireland, considers it the great link towards holding fast the connection of Religion with the State, and for keeping these two Islands in a close connection of opinion and affection. Of *Plunkett*, who declared the Protestant Establishment in Ireland to be necessary for the security of all Sects, to be the great bond of union between the two countries; and who emphatically declared that to lay hands on the property of the Church, or to rob it of its rights, would be to seal the doom of the Union, and to terminate the connection between the two countries. Of *Newport*, who protested against the enactment of the Church Temporalities Bill, who dissented from the policy of reducing the number of Bishoprics, who, while he advised a different distribution of Church property for the promotion of the interests of the Church, insisted on the strictest application of that Property to Ecclesiastical purposes.’² Lastly, I appeal to the solemn, the dying declarations of *Grattan*—in a paper which he dictated in his last moments—namely:—“Resolved that a Committee be appointed, with a view to repeal the Civil and Political Disabilities which affect his Majesty’s Roman Catholic

¹ Hansard’s *P. D.* (third series), vol. xxvii. p. 947.

² *Ibid.* pp. 961, 962.

subjects on account of their Religion; resolved that such repeal be made with due regard to the inviolability of the Protestant Religion and Establishments; and resolved, that these resolutions do stand the sense of the Commons of the Imperial Parliament on the subject of Civil and Religious Liberty. That is my testamentary disposition; and I die with the love of Liberty in my heart, and this declaration in favour of my Country in my hand.”¹

But all pleading was in vain. This form of the motion too is ‘carried by a majority of 27.’ That was on April 7th; and next day Sir Robert Peel intimated that his Ministry had ‘resigned.’² He, who had been instigator of the greatest of all ‘surrenders’ to the Roman Catholic Claims, had apparently put his back to the wall, and resolved now to ‘make a stand’ and yield nothing more. *He* may do so; but what will others do—who have mastered his previous lesson? and how can he hinder them from improving on their master’s example? He surrendered much; they may surrender still more; and those who follow them may get the length of surrendering All.

On reassembling after the Easter recess, Viscount Melbourne was in power with Russell and Palmerston as principal lieutenants. But due notice of coming troubles had been given to them. For while the Ministry was still in embryo, Richard L. Sheil had intimated ‘that on the first day, in going into Committee of Supply, he would move a resolution to this effect:—‘That no person who should hereafter be appointed to, and enter upon, an Ecclesiastical benefice in Ireland, shall be deemed to have a vested interest in it, entitling him to compensation in the event of its being suppressed.’³ And, quick as lightning, Sir Robert H. Inglis on the spot gave notice:—‘That on the Honourable Member’s making that motion he would move that the Oath which the

¹ Hansard’s *P. D.* (third series), vol. xxvii. p. 963.

² *Ibid.* pp. 969, 980.

³ *Ibid.* p. 1012.

Honourable Member had taken should be read.' Here, then, were the elements of a lively quarrel.

And on 22nd June, we find evidence that the same subject was stirring the Constituencies. A petition, for instance, was presented from Birmingham, in which the petitioners, 'after citing Mr. Sheil's motion, called attention to the oath taken by Roman Catholics, referred to the circumstances in which the Relief Bill of 1829 had been passed, and prayed the House to exclude by express enactment the Roman Catholic Members from any share in Ecclesiastical Legislation.' Sir Robert, in presenting it, 'was sure that there would be found an almost unanimous concurrence, that the measure of 1829 would not for a moment have passed that House, if it had been then suspected that the power of dealing with the rights and property of the Church had been conceded by it to Roman Catholics.'¹ He had 'always thought that the introduction of Members of the Church of Rome into that Assembly had been the greatest calamity that had ever occurred in this country.' Yet he had 'undertaken the discharge of this duty with no small pain. It was not a pleasant thing for any man to rise up in a society of Englishmen, and tell those who sat opposite to him that they had violated their Oaths!'² At the same time, he must declare 'that if he had taken such an Oath in Belgium, or in any Roman Catholic country, not to endanger the security of the Church established there, he would consider that he incurred a great and fearful responsibility by violating it.'³

Four days thereafter, however, the Government launched its new scheme for the 'Settlement of the Tithes Question,' and for the future 'Regulation of the Irish Church Establishment.'⁴ And immediately Parliament was flooded with petitions, praying for the 'Protection of the Church in Ireland.' Among the rest, one prayed also that the Parlia-

¹ Hansard's *P. D.* (third series), vol. xxviii. p. 981.

² *Ibid.* p. 982.

³ *Ibid.* p. 983.

⁴ *Ibid.* p. 1319.

ment would 'secure Liberty of Conscience for his Majesty's Protestant subjects there.'¹

The Bishop of Exeter took occasion thereon to 'call attention to a letter from Dr. George Murray, one of the Commissioners of Public Education in Ireland,' as entertaining opinions which were 'incompatible with the faithful and efficient discharge of the duties of his office.' He held in his hand also the book, put forth by authority *Illustrissimi et Reverendissimi Archiepiscopi Dublinienses*, called *The Priest's Daily Directory*, advertising 'that Dens's *Complete Body of Theology* had been unanimously declared, in a meeting of Roman Catholics, to be the best work that could be published, as containing the most sure guidance for Ecclesiastics, by the assembled Prelates of Ireland.' Accordingly, an edition of 3000 had been 'issued by Mr. Coyne, the Roman Catholic publisher.' And in February last, to prove that this was no antiquated affair, Mr. Nolan, who had been trained a Roman Catholic, wrote to a Dublin newspaper, in answer to the challenge of a Priest,—'that Dens's opinions are as much respected at Maynooth, as are Blackstone's *Commentaries* in the Universities of England.'²

Further, the Bishop held that many opinions that were 'obsolete' in other countries were 'still received in Ireland.' For instance, note what occurred regarding the *Douay Bible*. It was published in 1816, 'with the Notes of the Rheimish translation.' Here is one: 'He that will be proud, and refuse to obey the commandment of the Priest, that man shall die.'³ Another says: 'The good must tolerate the evil, when it is so strong that it cannot be redressed without danger and disturbance of the whole Church, and commit the matter to God's Judgment in the Latter Day; otherwise, where ill men, be they heretics or other male-

¹ Hansard's *P. D.* (third series), vol. xxix. p. 603.

² *Ibid.* pp. 605, 608.

³ *Ibid.* p. 612

factors, may be punished or suppressed without disturbance or hazard of the good, they may and ought, by public authority, either spiritual or temporal, to be chastened or executed.' And still another: 'Though Pilate was more innocent than the Jews, yet he is damned for being the minister of the people's wicked will against his own conscience; even as all Officers are, and especially the Judges and Juries, who execute laws of temporal Princes against Catholic men.' After this Bible with Notes had been circulated for twelve months, 'with the express sanction of the Roman Catholic Archbishop of Dublin,' the *British Critic* called attention to its teachings, and there arose 'one universal burst of indignation.' Dr. Troy then complained to the printer 'that he had produced prodigious mischief;' but the printer indisputably proved 'that it was the very book which he had authorised Mr. M'Namara to publish, and had appointed Mr. Walsh to revise the Notes.'¹

Now, it was these 'Notes' that O'Connell took action against at the Catholic Board, and let us see how he fared. He demanded 'that a vote should be passed, *disclaiming as any part of Catholic Doctrine certain things that were taught therein*;' and for himself he courageously declared: — 'If I thought it essential to the Roman Catholic Church to hold doctrines, contained in these Notes to the Bible, which justify the murder of heretics as such, and the breaking of oaths with heretics as such, I would no longer belong to that Church!' Now there was a fair issue, squarely raised by one of themselves, in presence of the Clergy and Laity of Rome. And how was it met? Other members as frankly avowed 'that these were not matters for them to discuss'—these were things which the Church must settle for them! The utmost that could be carried was the appointment of a Committee 'to consider and to report.'² In the category of a Roman conscience, whether you are

¹ Hansard's *P. D.* (third series), vol. xxix. p. 613.

² *Ibid.* p. 614.

to 'break faith with heretics,' or 'murder excommunicated Princes,' requires time to 'consider.' It is not all such plain sailing on the sea of morals, as O'Connell generously and impulsively thought! No 'report' was ever given. The matter was 'delayed' again and again, and the issue postponed and evaded. Finally, the Catholic Board was 'dissolved,' and so the book with its precious notes was never 'disclaimed.'¹

When the Bishop closed his charge, Viscount Melbourne tried to turn the whole question aside by an easy laugh. A Prelate had once been 'taken prisoner at the head of a body of troops.' The Pope demanded 'that he be delivered up to him as under his jurisdiction.' The Temporal Sovereign sent back in reply the Bishop's 'coat of mail,' with this one question to the Pope,—'Is this thy son's coat?' The Viscount wished to know 'whether the speech to which they had listened was becoming for a Bishop?'²

Nothing could more fairly reveal to us the superficial spirit in which all such matters were to be treated in this Modern Age. To men of such a type, Maynooth may teach what it likes, and Priests may claim what they please. They care not three straws; nor will they be aroused by reason or by faith, but only by the turmoil and tumult of Revolution. When Freedom—when Person and Property—when Home and Altar—when British National Liberty and Independence, are assailed and are seen to be at stake, then they will begin to tear their hair, and denounce themselves as double-damned fools! *They are trifling away all that makes life for Man or for Nation worth living.* Shall they win it back, even by blood and tears, when the next struggle comes? Or shall they learn, like the man in the Menagerie, that he has thrust his right hand once too often within the lion's jaws? Let the historian of the future tell, and not minimise the lessons which the past has recorded here.

¹ Hansard's *P. D.* (third series), vol. xxix. p. 614.

² *Ibid.* p. 617.

Here closes our picture of the first five years after the Relief Act of 1829. It is far from complete; but we have fulfilled our promise—we have put authoritative materials into the hands of every reader, that he may form for himself a just and impregnable verdict as to the spirit and aims of the men who were ‘emancipated,’—of those who took their seats in Parliament, and more particularly, of the forces at their back, their supporters and masters, the Irish Roman Catholic Clergy. Every page of *Hansard* demonstrates that, with the entrance of a Popish party into our Legislature, *there began an intense and unceasing struggle in favour of Papal Claims and Interests*,—the ultimate issues of which are yet in the future, but the inevitable end of which shall certainly be, as seen from all the history of our past, another deadly wrestling match in the grips of death for Supremacy within this realm.

Most of our statesmen, through all the intervening years till now, seem as if they marched on with a light heart into the coming battle. What, think you, will the statesmen of that later day, who have to fight for their Freedom, Civil and Religious, and win it back maybe through sacrifices greater than any in the Reformation and Revolution of the past,—what will they think of the men who, for temporary tranquillity, or paltry political gains, or the support of a few unreliable votes in Party strife, admitted light-heartedly the implacable enemies of Protestant Liberty into the very citadel of the British Constitution? It may not be yet—it may not be for a generation—for National Evolutions are counted not by years but by epochs; but History will belie all her past, if such transactions be not some day universally branded as treachery, and their abettors held up to gaze as traitors to the Nation.

SECTION V

Nine Years' Ceaseless Assaults

IN entering upon the remaining Sections of our story, the warning must again be renewed, and more emphatically than before, that there is no room, and perhaps no need, for full portrayal of the events still to pass before us. We touch them, we indicate where students may find them, we show their essential connection with our main theme, their indissoluble origin in and growth out of Papal Claims, we glance at their lessons, and then we must hasten to a close. That is all that is vital to our purpose and the plan of this work,—though ten thousand side-issues all down through the Victorian Age tempt us to linger by the way, and are infinitely attractive.

The assault went ceaselessly on, despite all the enthusiasm over 'Corporation Reform,' and the frenzy over 'Corn Laws.' In April and May 1836, Lord Morpeth was pressing through his 'Commutation of Tithes Bill,'¹ to appease the clamour on one side; and, on the other, Mr. Lefroy was denouncing the 'Roman Catholic Marriages Bill,' as a partial measure 'giving power to the Roman Catholic Clergy of Ireland, which was not possessed by the Priests in England, nor by the dissenting Clergy in either England or Ireland.'²

In June, Lord Lyndhurst presented a petition from Dr. Mulholland, a Roman Catholic Priest in the County of Louth, complaining 'that he had been removed from his living by the Roman Catholic Primate, for no other fault than daring to sue a brother Ecclesiastic before the King's Courts.'³ His Lordship commented on this as 'most

¹ Hansard's *P. D.* (third series), vol. xxxiii. p. 501.

² *Ibid.* p. 826.

³ *Ibid.* vol. xxxiv. p. 146.

extraordinary, because, before the "Commissioners on Education," Dr. M'Hale stated, over and over again, that in vindication of Civil Rights it was no violation of the rules of the Church in Ireland—notwithstanding the Pope's Bull to the contrary—for an Ecclesiastic of that Church to institute proceedings before the Civil Tribunal against a brother Divine.¹ But Lyndhurst well knew, from his 'Emancipation' experiences, that it was nothing extraordinary for such 'solemn asseverations' to be falsified, as soon as they had served their purpose. Witness the Bishop's 'Declarations,' to help in carrying the Relief Bill in 1829!

In that same month of June, Lord Stourton brought before the Upper House a petition from Dublin, 'reflecting on his honour as a Peer.' It accused him of 'violating his Oath by voting on the Church Temporalities Bill,' and charged him with 'nothing less than the crime of perjury.' The bait was highly spiced ; but the Lords refused to rise to it, and 'the subject was allowed to drop.'²

In August, 'on a proposal that £8928 be granted to Maynooth,' Mr. Shaw insisted that the education there given 'demanded a searching inquiry ;' and Mr. Hamilton, 'that this was imperatively called for.'³ But Captain Bolders pleaded 'that a stipend should be given also to the Roman Catholic Clergy ;' and thereby, he believed, but *how* he did not explain, 'an end would be put at once to the influence of the crafty Priest and the cunning Agitator.'⁴

With the opening of next session, February 1837, came the news of a recently formed 'Irish National Association,'⁵ whose object was to promote 'the just claims of Ireland ;' and Lord Cloncurry, vindicating it in the House of Peers, had caught the true twang by which every demand for concession for the last fifty years had been prefaced,—'all he

¹ Hansard's *P. D.* (third series), vol. xxxiv. p. 147.

² *Ibid.* p. 495.

³ *Ibid.* vol. xxxv. p. 1021.

⁴ *Ibid.* p. 1023.

⁵ *Ibid.* vol. xxxvi. p. 81.

asked for Ireland was *justice*;' underneath which lies the premiss, that that only is justice, or will be accepted as such, which Roman Catholics in Ireland demand.

Before the month had half run, O'Connell shook the dust in the Commons by asking 'for leave to bring in a bill, better to secure the title and enjoyment of lands and tenements granted for the purposes of Roman Catholic worship in Ireland.'¹ Mr. Shaw asked very naturally, 'Why should Roman Catholics be put on a different footing from any other body of Dissenters in the United Kingdom?' They had 'peculiar opportunities of inducing bequests!' He saw 'no grounds for forming the Roman Catholic Hierarchy into a Corporation, capable of taking and transmitting property without the intervention of trustees—a privilege enjoyed by no other Religious Sect in the United Kingdom.'² Leave was given; but Lord Morpeth took care to intimate 'that the Government reserved its opinion.'³

This same month of February closed with a motion by Lord Melbourne 'for a Select Committee to inquire into Education in Ireland.'⁴ Earl Fingall said, 'that nothing had gone so far towards conciliating Ireland as this very system of Education,'—referring to the Model Schools.⁵ We shall soon see whether Roman Catholic Ireland is 'conciliated,' or, as before, regards the system as an 'insult,' and demands other and yet other concessions.

Here let us look at what came to be spoken of as 'the Great Protestant Petition of 1837.' It was agreed to at Dublin on January 24th, and presented in spring to the House of Peers by the Marquis of Downshire. It set forth 'that the affairs of Ireland caused serious apprehension to the Protestants of that country;' and complained of 'the proceedings of the Roman Catholic General Association.'⁶

¹ Hansard's *P. D.* (third series), vol. xxxvi. p. 562.

² *Ibid.* p. 563.

³ *Ibid.* p. 565.

⁴ *Ibid.* p. 1105.

⁵ *Ibid.* p. 1160.

⁶ *Ibid.* vol. xxxviii. p. 299.

The Marquis confessed 'that he had supported the bill of 1829;' but, from what he had since seen, 'he would readily own that he had been disappointed!' Now, the Roman Catholics, instead of acquiescing in the abolition of the Ascendency of any one party, 'plainly sought the position from which the Protestants had been dislodged by the Act of 1829.' Of course; and from the nature of the case, and the necessities of their creed, it could not be otherwise. Ascendency there must be—if not Protestant, then Popish. There is no *Via Media* in this matter.

In reply, Viscount Melbourne sneered at 'the pomp and stir' over this petition, and chaffed 'those 200,000 of all ranks,' who had signed it, for 'wounded feelings on loss of superiority and influence.' Rather a silly mood on such a theme!¹

But, as to the Oath of the Catholics, he made a clean breast of that subject, in a way which might have made the 'Emancipators' blush:—'I do not approve of that Oath; I wish it had never been introduced into the Act of 1829. We all know how it got in,—it was because we could not get the bill without it!'² Men who can almost boast of fraud and imposture of this kind are poor guides of a Nation's destiny.

The Earl of Roden, striking a deeper vein, and weighing issues, contended 'that the time was not far distant, when the question to be decided would be this,—'Whether they must respect the Legislative Union or the Act of 1829?'³ To him it was beginning to appear that the one *or* the other of these must go; and the forecasts are all still on that same line of thought.

The Earl of Donoughmore very truly remarked 'that the members of his family had been the uncompromising advocates of Roman Catholic Claims;⁴ but it had always been

¹ Hansard's *P. D.* (third series), vol. xxxiii. p. 304.

² *Ibid.* p. 310.

³ *Ibid.* p. 326.

⁴ *Ibid.* p. 332.

on the perfect and clear understanding that any Political power with which they were intrusted would not be used to the injury of the Protestant Establishment. Now, since 1829, these engagements had not been faithfully kept.' Nor were they ever really meant to serve any other purpose than, as Melbourne would say, 'to carry the bill.' They served their end, and those who believed in them were befooled again.

On 20th June 1837 occurred one of those silent revolutions by which God changes the face of national life, and brings in New Eras without tumult or noise. William IV., a very respectable nonentity, passed away; and the whole Empire went into ecstasies over their Girl-Queen Victoria, who ascended the Throne. Five and fifty years have since elapsed, as we write this page,—years of transcendent joy, and of unfathomable sorrow in her own personal history,—years of unparalleled prosperity in the Nation, side by side with unspeakable poverty and wretchedness; but no year of them all has passed without leaving Victoria more immovably throned in the affections of her People than the years which went before—throned and crowned with all loyal love and obedience as Mother, Wife, and Queen.¹

But the Parliament, which met towards the close of that year, had to learn that from one warfare there is no discharge, since Roman Catholics have come to understand the use of their Legislative powers. Retaliation from Protestants now began to show itself; and, on the 28th November, a petition was presented by the Duke of Newcastle, 'praying for the Repeal of the Emancipation Act of 1829.'² Its plea was founded on 'the Roman Catholics' breach of Oath not to weaken or disturb Protestant Institutions,' and the prohibition rendering it 'unlawful for Titular Bishops to assume the titles of the Protestant Sees.' Viscount Lorton, commenting on 'the truly awful state of Ireland,' affirmed in the face of Parliament:—'The great Political power, conferred on the

¹ Hansard's *P. D.* (third series), vol. xxxix. p. 339. ² *Ibid.* p. 341.

Roman Catholics by the Act of 1829, has been and still is altogether and entirely wielded and overruled by the Clergy of the Church of Rome ; who are, with very few exceptions, and none openly, most inveterate against everything Protestant and English.’¹

Melbourne retorted upon the petitioners, ‘that such an Act as that of 1829 required a longer trial,’ before there could be any talk of ‘repeal.’ But Brougham assumed his loudest and most brow-beating style, telling them ‘that it was not at the bill of 1829 that they must pause ; they must go back to the bill of 1793 ; they must even go as far back as 1778, when the foundations of Emancipation were laid ;’² and he wound up with the declaration that the proposal for its repeal ‘was one of the most visionary, one of the wildest and most monstrous, ever submitted to the Legislature !’³ Not even in the calm of the House of Peers could Harry Brougham ever forget the rock whence he was hewn,—perhaps O’Connell only in all that generation could surpass him in the faculty of abusive speech.

The same subject was hotly discussed on 9th February 1838, but this time in the House of Commons. Mr. Plumptre presented the Petition.⁴ It charged the Roman Catholic Members with ‘using, notwithstanding their Oaths, their utmost exertions for the destruction of the Protestant Establishment, and also for the alienation of its Property.’ It declared ‘that the Security of 1829 had proved to be wholly inefficacious ;’ and it demanded ‘the total exclusion of Roman Catholics from the Legislature of this country.’ An amendment ‘to refuse the Petition’ was rejected by the House,—the Speaker judicially remarking ‘that whether certain Members had violated their oath was a mere matter of opinion.’⁵

Neither Protestant nor Romanist, however, would allow

¹ Hansard’s *P. D.* (third series), vol. xxxix. p. 341.

² *Ibid.* p. 348.

³ *Ibid.* p. 353.

⁴ *Ibid.* vol. xl. p. 943.

⁵ *Ibid.* p. 946.

this burning question about the 'Catholic Oaths' to rest. On March 1st, the Lords were listening to the Bishop of Exeter presenting a petition from the City of Cork, insisting on the fulfilment of the 'Compact of 1829, a solemn and deliberate Compact.' Melbourne jauntily remarked, 'that it was impossible to place reliance exclusively on Oaths or Tests of any kind, and that the chief reliance should be on the honour and patriotism of individuals.'¹ But the question was,— Could men place *any reliance at all*, not to talk of 'exclusive' reliance, on the Oaths of the Roman Catholic Members of Parliament? For Lord Wharncliffe openly proclaimed:— 'That many Roman Catholics avowed that they looked upon all such measures as merely so many "instalments" of what they considered they had a right to expect; and that they looked forward to a time when they should see their views accomplished in the destruction of the Church of Ireland.'²

Nay, on 8th May, the Earl of Shrewsbury was busy explaining to the puzzled Peers, 'that the Roman Catholic Oath was now null and void, being abrogated by a recent decision of the Court of Rome'!!³ While it was contended by some 'that the Oath was not necessarily condemned, though declared 'not approvable' at Rome.'⁴

The letter of Cardinal Burnetti to the Bishop of Malta, containing the opinion of the Pope as to his becoming a Member of the Council and 'taking the Oath prescribed,' was also read. But Shrewsbury argued that it was 'clearly intended to be an evasion.' It ran thus:—'The form of the Oath had been examined, and the requisite information obtained; and he was informed that it was not, and never had been, approved of by the Holy See.' The Bishop himself did not seem to think this verdict to be an 'evasion.' He 'refused to take the Oath;'⁵ and very consistently from his point of view preferred the favour

¹ Hansard's *P. D.* (third series), vol. xli. pp. 284, 316.

² *Ibid.* p. 320.

³ *Ibid.* vol. xlii. p. 966.

⁴ *Ibid.* p. 968.

⁵ *Ibid.* p. 981.

of the See of Rome to a seat in the Legislative Council of Malta.

The session that opened in February 1839, though weeks and months were filled with the Corn Law Agitation, found time to grow very noisy and angry over 'John of Tuam.' Already, as far back as April of the preceding year, letters addressed to Lord John Russell, and signed by 'John of Tuam,' had been remarked on in the House of Peers, and questions asked as to 'enforcing the penalty of the 24th Section of the Relief Act of 1829.'¹ And now again, in June 1839, Sir Robert H. Inglis pointed out 'that the Address to the High Sheriff of the County of Mayo had for its first name that of the Lord-Lieutenant of the county, the next, 'John, Archbishop of Tuam,' and the third, 'John Tuam;' and he asked the Noble Lord 'whether he had instructed the Attorney-General for Ireland to take proceedings in consequence of the assumption of that title, with reference to the clause in the Roman Catholic Relief Act, prohibiting Roman Catholics from assuming the titles of Protestant Dignitaries?' Lord John Russell answered: 'No!' but he continued 'that on a person acting for Dr. M'Hale asking that a petition be laid before his late Majesty—that individual having taken the title of "Archbishop of Tuam"—he refused to present it, under a name to which by the law he was not entitled.' Still, 'he could not agree to the propriety of instituting prosecutions.'²

O'Connell, with his hunger to drive a coach or at least an Irish car through any Act of Parliament that obstructed his path, volunteered the interpretation—'that the clause prohibited others from giving any Roman Catholic that dignity, but it did not prevent him taking it on himself.'³ But Sir Robert H. Inglis was cruel enough to read aloud the clause, 'shall assume, etc.,' when O'Connell saucily

¹ Hansard's *P. D.* (third series), vol. xlii. p. 542.

² *Ibid.* vol. xlviii. p. 9.

³ *Ibid.* p. 10.

confessed that he was wrong, that the clause meant the very opposite of what he had said, namely, that any person may call another Bishop or Archbishop of any place, but the individual was not at liberty to assume the title for himself'!¹

Finally, the struggle reached its acutest form, on June 13th, when a petition was presented 'from the Catholic Archbishop and Clergy of the Diocese of Tuam'—protesting against the 'unreasonableness' of Catholics being called upon, for the sake of one Protestant in fifty of themselves, to 'submit to a System of Education fashioned for a mixed population of all Christian Sects.'² They proclaimed to Parliament itself 'that henceforward they would hold no connection, pecuniary or otherwise, with that Board; and that they would use all the spiritual influence of their Sacred Office to withdraw the children of their respective parishes from so dangerous a connection.'³

This was the much-praised 'National System,' of which not so long ago a deluded Government was boasting that it would be 'satisfactory' to Roman Catholics, and would be accepted as a 'final settlement' of the Education puzzle in Ireland. The Priests have now strengthened their position on that question; and they immediately and accordingly raise their demands.

But on this occasion the storm raged around a side issue, and not the main question. Mr. C. Law moved:— 'That this Petition, issuing from John M'Hale, a person falsely assuming the title of "Archbishop of Tuam," be rejected.'⁴ Mr. Dillon Browne rather compromisingly explained that, with the approval of the Archbishop, he had erased the words 'Archbishop of Tuam' after 'M'Hale.'⁵ Sir Robert H. Inglis wished the House to recognise the fact that 'Dr. M'Hale had by this proceeding formally and

¹ Hansard's *P. D.* (third series), vol. xlviii. p. 10.

³ *Ibid.* p. 196.

⁴ *Ibid.* p. 197.

² *Ibid.* p. 195.

⁵ *Ibid.* p. 198.

publicly renounced his claim to the title,'¹—causing it to be erased from an official document. But Mr. Dillon Browne, with a fine Irish blundering, 'begged to say that Dr. M'Hale had not the most distant intention of renouncing his title ;'² except, that is, when it may serve a purpose as here, and momentarily hoodwink certain purblind Protestants !

Dr. Lushington threw rather queer and sinister light upon the whole statute by remarking 'that there was no provision in law to prevent a Roman Catholic Bishop from assuming that title,'³ as there was no Archbishop of Tuam known to the law now in existence. But Lord John Russell, 'emancipator' though he was, at once retorted,—'that to receive such a petition would be contrary to the spirit of the Act of Parliament, though it might not militate against the very letter.'⁴

The petition was, indeed, rejected by a majority of 83 ; but any careful reader can see that another of Peel's great 'Securities' for Protestantism in the bill of 1829 is already doomed. The Sapping and Mining is advanced towards completion ; and at any moment this so-called 'safeguard' too may be blown into the air. And the ghost of Peel will sigh—'Befooled again !'

Ere we dismiss the session of 1839, we must notice in passing the opening of another mine, some success in which has been achieved ; but the borers were still at work as late as 1891, and the job is not quite complete, but nearly so, when our history closes. It meets us in the Journal of the House of Lords on June 10th, in the form of a question by Viscount Strangford as to a proposed bill in the Commons—'to enable persons professing the Popish faith to practise in the Spiritual Courts of these realms, and to hold the office of Lord High Chancellor.'⁵ The sting is in the words at the tail—the throwing open of the Chancellorship to

¹ Hansard's *P. D.* (third series), vol. xlviii. p. 200.

³ *Ibid.* p. 202.

⁴ *Ibid.* p. 204.

² *Ibid.* p. 201.

⁵ *Ibid.* p. 85.

Roman Catholics. This notice was received with 'great cheering' in the other House; and the Viscount wished to know if the proposal was 'countenanced by the Government.' Melbourne testily replied—'Certainly not!'—as a man whose withers were unwrung in this business of concessions to Popery. And, Lord Brougham, rhetorical as usual, exclaimed 'that such a proposition was as hopeless as it was absurd' ¹

The men who fought, with the Priests egging them on, knew better than to think it 'hopeless,'—considering the tools they had with which to operate! And now, by judicious pressure and incessant worrying, they have brought the successors of Brougham and the Emancipators to regard it as no longer 'absurd,' but 'expedient and necessary.' The poison works, if slowly, yet surely.

During several sessions, the affairs of the Church of Scotland occupied much of the time of Parliament—the 'Intrusion' controversies running their bitter course, and the 'Patronage Act' of Queen Anne producing at length its deadly fruit in the miserable 'Disruption' of that ancient and historic Church. We are sorely tempted; still we must not turn aside from our proper theme.

But on 6th June 1842, we see the opening, ever so cautiously, of another little mine—since worked with great effect. The skill with which it has since been opened up, compared with the extreme modesty with which they first dared to touch it, form together a suggestive study as to the tactics of Roman Catholic engineers. Lord Camoys presented to the Peers a petition from Manchester regarding 'Catholics in workhouses,' complaining 'that as the clause in the Act now stood, the Guardians had it in their power to deprive Roman Catholics of the benefit of Religious instruction according to their own form of worship.'² His lordship did not contend that any case of refusal had occurred;

¹ Hansard's *P. D.* (third series), vol. xlviii. p. 86. ² *Ibid.* vol. lxiii. p. 1237.

much less did he ask 'that Catholic Chaplains should be appointed to workhouses;' but he insisted 'that it should not be even left in the power of hostile Guardians to frustrate the intentions of the Legislature.'

How unassuming is all this deprecatory modesty of demand! Only 'bigots' would decline such gentle concessions! But stop the current of your sympathies for just a moment, and ask, Where is the Roman Catholic that would put his demands in such a form now? Do they not imperiously insist upon, and generally obtain, chaplaincies, or anything else upon which their Church is set, from the highest Offices in the kingdom down to the humblest in the parish? In fact, by such appointments of one kind or another, this Nation is deeply committed to the Endowment of Popery in the land. This gentle beginning about the workhouse Chaplains is type of many things, on which here we cannot dwell, but which are deeply suggestive to a student of history.

During the month of May 1843, Mr. Ross was the means of giving us still another illustration of how this Sapping Process was, in every direction, incessantly carried on. He proposed to 'bring in a Bill to release her Majesty's Roman Catholic subjects from the Oath in the Relief Act of 1829, commonly known as the Catholic Oath.'¹ He complained that it 'produced delay, annoyance, and injustice, during the progress of elections.' But the Attorney-General for Ireland, Mr. T. B. C. Smith, was ready with a new surprise—a mine sprung on unsuspecting Protestants. He informed the House 'that there were two cases, the Cork and the Carlow Election Petitions, in which it had been decided by the Committees, that under the provisions of the Reform Act this Oath was unnecessary.'² So that, by a mere inadvertence, and without any discussion, Protestantism had apparently surrendered another of Peel's precious 'Securities!'

¹ Hansard's *P. D.* (third series), vol. lxix., p. 188.

² *Ibid.* p. 189.

At any rate, leave was given ; and Mr. Ross's Bill was read a second time on May 24th¹—Sir Robert H. Inglis in vain repeating that under the Relief Act this was 'tendered as a main Security' in the interests of our Protestant Government, and the Attorney-General for Ireland replying that under the Reform Act 'registration' was alone required.²

The poor Irish Church was the object, also, of a two-fold attack, at which we must for a moment glance. In July, the Peers were invited to the assault, and in August the Commons. Earl Fortescue presented a petition from Lord Oranmore, praying 'that the whole property should be sold and invested in the Consolidated Fund ;' and that the interest should go 'permanently to support the Protestant, Presbyterian, and Roman Catholic Religions, in proportion to their numbers.' But the drift and inspiring force of the whole proposal are avowed in the desire 'thereby to enable her Majesty to conclude a Concordat with the Head of the Roman Catholic Church ; and establish the Religion of one-third of the population of the United Kingdom on the Constitutional basis of a perfect equality with the Churches of England and of Scotland.'³ The old Duke of Wellington at once retorted that the real question involved was,— 'Whether we ought to repeal or to retain these laws by which the Reformation has been established in the United Kingdom.'⁴ And Brougham, angry at the pace of his 'emancipated' friends of former years, declared 'that there never was a grosser delusion than the supposed abuses of the Irish Church !' It caused 'no suffering to the peasantry of Ireland ; not one of them felt any material injury either in their persons or estates.'⁵ Perhaps so ; but had they not learned from the Brougham of other days that whatsoever their Priests and they thought to be a 'grievance' must be

¹ Hansard's *P. D.* (third series), vol. lxix. p. 847.

² *Ibid.* p. 898.

⁴ *Ibid.* p. 4.

³ *Ibid.* vol. lxxi. p. 3.

⁵ *Ibid.* p. 6.

redressed; and that it would be redressed by ample concessions, if they only played fiercely enough at intimidation? Their logic is unimpeachable, if the premisses be granted, as Brougham and the Emancipators had already done.

In the Commons, the assault took a more business-like form. Mr. Ward, of Sheffield, moved 'that a Humble Address be presented to her Majesty,'¹ to bring about 'such a settlement of Church property in Ireland as will remove all just ground of complaint, and give satisfaction to the Irish people.'² Alas, nothing short of the demolition of the Church could 'satisfy' the Roman Catholic Irish; and, even since that Church as an Establishment 'ceased to exist,' they have still 'grounds of complaint.' They are repeating now, with a new and sinister application, the very words used by Mr. Ward himself in 1843, 'that the Union is precarious and rotten,' and 'that we stand now on the verge of Separation.' He thought that the Irish Establishment was the one real 'grievance of Ireland.' That Establishment is gone for more than twenty years; but Roman Catholics in Ireland still clamour for 'redress of grievances.' The poor 'Irish Church' was then denounced as 'the real difficulty of every Administration;' and Mr. Ward pointed out that 'two Governments had already sunk in the attempt to grapple with it.'³

No, Mr. Ward, there is another 'difficulty.' History, since the abolition of the Established Church there, has demonstrated that your diagnosis was shallow and false. Ireland has still a grievance, and Governments are being made and unmade in vainly trying to satisfy Roman Catholic spokesmen—that grievance is the existence and supremacy of the Protestantism of the United Kingdom. All politicians who refuse to recognise this fact, and the claim that the Papacy makes, and go on legislating as if no

¹ Hansard's *P. D.* (third series), vol. lxxi. p. 118.

² *Ibid.* p. 161.

³ *Ibid.* p. 119.

such thing existed, will infallibly be proved by the evolution of events to be no statesmen, but mere electioneering quacks. Pity that it should cost their Country so dear to expose them !

The Government, getting its fingers burned, allowed the House to be 'counted out' on the adjourned debate regarding Mr. Ward's proposals, on August 2nd,¹ and themselves went off to rusticate ; for, when next we meet in February 1844, Peel is again Prime Minister with a new team in hand. But Mr. Ward was not thus to be disposed of. He revived afresh in the month of June, with a much stronger motion :— 'That this House resolve itself into a Committee upon the present state of the Temporalities of the Church of Ireland.' He boldly declared 'that there was but one way to avert Repeal of the Union.' That was to 'consummate in time the great Act of Relief and of National Emancipation,'² by the removal of this 'grievance' from Ireland. There was debate, and then adjourned debate, on which we cannot linger ; and, for the time at least, the proposal was rejected by a majority of 95. Rejected, however, only to be speedily revived by the abettors of Papal Claims, in some other slightly disguised form ; but all driving towards one and the same issue.

Scarcely had June seen this business shelved, when July 1844 finds us plunged in what is called the 'Penal Acts Repeal Bill.' The Lord Chancellor explained to the Peers 'that it was to repeal twenty-five Acts, or parts of Acts, still in force against Roman Catholics.'³ And Lord Beaumont added,—'In force against those only who had not taken the Oaths prescribed.'⁴ After lengthened Committee, and many amendments, the Lord Chancellor declared 'that no clause had been left in the bill, about the propriety of which any reasonable doubt could be entertained.' So it was at length taken up by the Government to be adjusted 'during the

¹ Hansard's *P. D.* (third series), vol. lxxi. p. 209.

² *Ibid.* vol. lxxv. p. 667.

³ *Ibid.* vol. lxxvi. p. 1107.

⁴ *Ibid.* p. 1165.

recess,'¹ and stood a fair chance of being soon passed into law. A bill against which Protestants had no occasion to cherish a grudge, as it was codifying and bringing into consistency the concessions and the statutes of the kingdom.

SECTION VI

Maynooth Endowment and New Relief Bills

YEARLY, during all those years, the squabble over the 'Maynooth Grant' had been renewed, though we have been passing it silently in these pages. Strong petitions, bitter speeches, and Party annoyances, characterised the annual debates. In the early months of the session of 1844, the Government was asked by Lord Monteagle,—'If the College, considering the object for which it was established, should be allowed to remain in its present state?'² And Wellington had answered, like a man once more fishing for a policy of conciliation, 'that undoubtedly the whole question must be taken into consideration by the Government.' But, to show how little he himself knew how far he could be driven on this subject as well as on 'Emancipation,' he emphatically added :—'There was no intention to increase the Grant.'³

What, then, must have been the surprise of those who like plain dealing to hear Peel propose, on 3rd April 1845, that is within twelve months of Wellington's above assurance, the 'Maynooth Endowment Act,' and to hear his vindication of the measure before the House in Committee? It was 'competent for them to continue the Grant without alteration, or to discontinue it altogether, or to adopt in a friendly and generous spirit the Institution provided for the education of the Roman Catholic Priesthood.'⁴

¹ Hansard's *P. D.* (third series), vol. lxxvi. p. 1559.

² *Ibid.* vol. lxxiii. p. 845. ³ *Ibid.* p. 858. ⁴ *Ibid.* vol. lxxix. p. 20.

As usual with Peel, especially in his favourite *rôle* of the Great Surrenderer, he did not minimise the issues; he had gone in for Endowment of Popery there, and he would do it on a large scale:—‘I do not hesitate to declare that the absolute discontinuance of the vote would be better for all purposes, than the continuance of the niggardly allowance you at present grant!’¹ Nay, more: ‘Shall we repeal the Act which provides Roman Catholic Chaplains for prisons in Ireland? By the recent enactment, you have enabled the Grand Jury to appoint them;’ and his corollary seems to be,—‘therefore you must train and provide them!’ Or, ‘Shall we repeal the Act which provides Chaplains for workhouses?’² The reasoning is egregious from an intellect like that of Peel, who in former debates tore such silly argumentation to shreds. But it is a perfect illustration of our theme,—that every concession prepares the way for new demands, and that no concession short of Supremacy can, from the nature of the case, ever satisfy.

Peel’s scheme was then propounded, and was large enough to take one’s breath away, and to purchase ‘tranquillity,’ surely, for the rest of Peel’s days. Land was to be transferred to ‘the value of £3000 per annum;’ there were to be more ‘liberal salaries,’ ranging from £600 or £700 to the President down to £260 or £270 to the Professors; a sum ‘not exceeding £6000 was to be allotted to the Trustees;’ and provision was to be made for ‘500 Students’ at the rate of about £28 per annum for each, with £20 extra for ‘personal expenses’ to those in the Senior Classes.³ Maynooth was to be ‘satisfied’ with an annual Endowment of £26,360! Peel frankly confessed ‘that they had not introduced the measure without communication with the leading Ecclesiastical authorities of the Roman Catholic Church;’ but he was, of course, careful to assure the House, and the House received the

¹ Hansard’s *P. D.* (third series), vol. lxxix. p. 25.

² *Ibid.* p. 32.

³ *Ibid.* p. 35.

announcement as gravely as circumstances would admit 'that it was not the subject of stipulation or contract with them!'¹

Sir Robert H. Inglis reminded the House of Dr. Troy's 'Memorial,' of 14th January 1794, wherein it is set forth 'that what they asked was a Charter, permitting the Roman Catholics to establish an Institution from their own funds.' His objection was 'not to the amount, but to the Endowment of the Church of Rome, by the adoption of this College of Maynooth.' The folly of 'educating, by means of a State provision, a class of men whose views and whose Church were decidedly hostile to the State Church, was paralleled, so far as he could see, by nothing but the folly of the Dutch, who sold gunpowder to their enemies and besiegers.'² The Government Party, however, were too deeply committed to be moved; and leave to bring in the bill was granted by a majority of 102.³

The Second Reading Debate began on April 11th, and raged on at a tremendous rate for six long nights.⁴ Mr. Roebuck tries to let in a little light on the motives of Peel and his supporters by telling us 'that O'Connell regarded the proposal of the Right Honourable gentleman as "bidding" against him and his repeal; for he knew very well that if justice were done to Ireland, Ireland would no longer seek to be divided from us, but would be our right hand in the time of war and our friendly ally in the time of peace.'⁵ Yes, but when will 'justice be done to Ireland,' in the esteem of her Roman Catholic population? Not till they have obtained every surrender which the Priests incite them to demand. The argument of Mr. Roebuck has preceded every demand; and, after concession, it readily adjusts itself and precedes another and still another demand,—as it is doing at this very hour, when the demand is for Home Rule, and probably Separation.

¹ Hansard's *P. D.* (third series), vol. lxxix. p. 37.

³ *Ibid.* p. 109.

⁴ *Ibid.* p. 501-1042.

² *Ibid.* p. 42.

⁵ *Ibid.* p. 576.

‘Mr.’ Benjamin Disraeli, as Member for Shrewsbury, took part in this debate, and so did ‘Mr.’ John Bright. The latter ‘objected to this measure, on the ground that it proposed to vote some of the Public taxes for the purpose of maintaining an institution purely Ecclesiastical, and for the rearing and educating of the Priests of a particular Sect.’¹ Disraeli, on the other hand, contended:—‘If any vote were at stake, in which the social and political Equality of the Roman Catholic population were concerned, I would go as far as any man in this House, and perhaps farther than many; but, sir, no one pretends that this is now the question,—but in fact an Endowment for the Roman Catholic Priesthood of Ireland.’²

In winding up the sixth night’s debate, Peel somewhat wearily said:—‘I know not what the consequences may be, in respect to more kindly relations betwixt Ireland and this Country.’ He had prophesied too much on that line before, and had been bitterly chagrined at the results of his great concession of 1829. He would risk no further predictions; but he comforted himself, in making this other plunge into that bottomless sea of trying to appease the implacable, with the all too shallow reflection,—‘that the measure had already produced in the minds of a generous People a kindly and grateful feeling.’³

Of course, and the People are quite genuine in that feeling, till they get their next orders and inspiration from the Priests; and then they run mad over ‘grievances,’ and force ‘concessions’ by the means that have so well served them in the past.

So the Maynooth College Bill passed its second reading, in face of hosts of unfavourable petitions, by the heavy majority of 147; and the Committee, when it sat on ‘the appropriation to be made from the Consolidated Fund,’ carried a vote of £26,000.⁴ The third reading produced

¹ Hansard’s *P. D.* (third series), vol. lxxix. p. 818.

² *Ibid.* p. 566.

³ *Ibid.* p. 1039.

⁴ *Ibid.* p. 1042.

another three nights' debate; and the bill at last left the Commons on May 21st, with the scarcely diminished majority in its favour of 133.¹

Its passage through the House of Lords need not detain us. Every one felt that this was another bid for 'Tranquillity in Ireland.' The Roman Catholic authorities had been allowed to fix their own 'price,' and the so-called 'champions of Protestantism' were determined once more, as in 1829, to 'risk' it, and hope for good!

Wellington got the length of saying 'that these Acts,—1795, 1800, and 1808,—the founding and regulating of Maynooth, it cannot be denied, are inconsistent with the enactments of the Code of Laws by which the Reformation was established in this Country and in Ireland.'² But he was careful to add, 'not with the Religious principles established at the Reformation.'³ Some consolation and defence seem to have come to him for the subtle distinction between 'the laws by which the Reformation was established,' and the 'Religious principles that were then established.'

Lord Stanley, forecasting the results of this concession, and weighing the reasons that had brought it about, ventured on a prediction, in which he only interpreted sagaciously the lesson of the past, and which has, therefore, been verified to the letter:—'It might be that efforts, more or less successful, would be made to look upon *the very existence of the Church of Ireland* as a "grievance."⁴

Petitions loaded the table every day, but all in vain. On 16th June, the third reading was forced through by a majority of 13.

The Earl of Winchilsea recorded his 'protest' against the bill 'as involving an entirely new principle—that of the Endowment of the Roman Catholic Church.'⁵ And another 'protest' was signed by eight Peers:—'That it was contrary to

¹ Hansard's *P. D.* (third series), vol. lxxx. p. 648.

² *Ibid.* p. 1231.

⁴ *Ibid.* vol. lxxxi. p. 115.

³ *Ibid.* p. 1160.

⁵ *Ibid.* p. 592.

the first principles of the Reformation; that the most unbounded toleration of Religious error does not require us to provide for the maintenance and the growth of that error; that it tends to raise a belief that Religious truth is matter of indifference to the State, and consequently to subvert that principle of Succession to the Throne which is the title of the present Dynasty.'¹

All the same, the 'Maynooth Endowment Act,' as it came to be popularly named, was placed on the Statute Book by the 'champions' of Protestantism, like the 'Relief Act' itself. Whether it 'conciliated' the Priests of Rome, or produced 'tranquillity' in Ireland, let history tell. Meantime, we paint this transaction here as a lesson to all time of the folly and cowardice of giving up your principles to 'appease' an implacable enemy. *Peel made his second great surrender.* He believed it was 'in the interests' of Protestantism in Ireland thus to attempt to 'conciliate' its deadly foes. His public life has not now very long to run; but it will run long enough to convince him, by a hundred witnesses, that he has been a second time befooled by the priests of Rome and the abettors of Papal Claims.

That was June 1845, and we have only reached 28th May 1846, when we are in the midst of a Government crisis over a new 'Roman Catholic Relief Bill.' It was promoted by Mr. Watson, of Kinsale, 'to repeal the remaining Penal Laws affecting Roman Catholics.' Twelve months before, it had already reached a 'Second Reading Debate,' in its prolonged struggles to pass into law. But Sir James Graham wished to get it 'postponed' till the Criminal Law Commissioners should give their Report on the 'Penal Laws of the United Kingdom.'² Besides, he urged, 'the bill extended to the repeal of certain enactments which formed part of the measure of 1829; and he did not feel disposed to give his assent to the disturbing of these Acts.' Despite his appeals

¹ Hansard's *P. D.* (third series), vol. lxxxi. p. 594. ² *Ibid.* vol. lxxx. p. 944.

the bill passed into Committee, but was rejected there 'by a majority of 42,' on the motion of Sir Robert H. Inglis.¹

Lord John Russell managed to proclaim his readiness for one 'to go into the amendment of the Act of 1829, and particularly to repeal those disabling clauses about assuming the titles of Bishops and Deans.'² Lord John little dreamed what a fine pickle the Pope was preparing for him in connection with these same Ecclesiastical titles, and how his own irresolute ways in dealing therewith should yet clothe him with mockery, if not dishonour!

This, then, was the 'Penal Laws Repeal Bill' resuscitated, which faced us in May 1846, and which put Peel once more on his mettle under the popular name of 'Roman Catholic Relief.'³ A Mr. Colquhoun wanted to know, in course of the debate, 'if the Honourable Baronet intended to make such alterations of the law of 1829, as would place the Archbishops and Bishops of Rome on the same level as those of the Church of England?'⁴ Sir James Graham intimated 'that a Government Bill, founded on the Criminal Commissioners' Report, and going on all fours with this one, and in some respects much farther, was on its way to them from the Upper House.'⁵ But Mr. Watson declined to postpone his measure. It proposed to 'repeal the Penal Enactments of 1829,' as well as some of earlier date; but the former of these two the Government bill did not touch. Sir Robert Peel 'could not concur in any proposition tending to the repeal of the Act of 1829.'⁶

But, in spite of the Government, the second reading was carried by a majority of 43; and the bill passed into Committee. Mr. Watson then divided his bill into two parts, omitting the first division as being already covered by the Government measure. On the second division, Peel

¹ Hansard's *P. D.* (third series), vol. lxxxii. p. 285.

² *Ibid.* p. 290.

³ *Ibid.* vol. lxxxvi. p. 142.

⁴ *Ibid.* p. 148.

⁵ *Ibid.* p. 149.

⁶ *Ibid.* vol. lxxxii, p. 160.

sturdily reiterated his *Non possumus* :—‘I have no hesitation in saying that I cannot consent to repeal any of the provisions of the Act of 1829, which the country regarded as a settlement.’¹ It was ‘to be considered again,’ but seems rather to drop out of view altogether as the session hastened to a close.

Early, however, in 1847, Mr. Watson was again troubling the waters, ‘for the repeal of Enactments imposing pains and penalties on Roman Catholics on account of their Religion.’² Sir Robert H. Inglis denounced the bill as ‘repealing the Act of Supremacy, legalising the Monastic Orders, and allowing Prelates of the Church of Rome to assume the titles of the Established Bishops of this country.’ Mr. Watson objected,—‘Not to repeal the Act of Supremacy.’ But Sir Robert retorted,—‘It did so substantially, if not technically and literally! It left it optional to Dissenters to take the Oath or not.’³ Mr. Watson explained ‘that the penalties mentioned in the Act of Supremacy were repealed by the Act of Sir James Graham of last year; but there were certain infringements of the Act of Supremacy which were still an offence at Common Law; and the main object of the present bill was to repeal these penalties, which affected the Regular Clergy of the Church of Rome.’⁴

Leave was given; and on 24th February, in the Second Reading Debate, we find Mr. Watson claiming that the principle to be affirmed was :—‘That no man be subject to Penal Laws for the exercise of his Religion.’⁵

Sir Robert H. Inglis moved that the bill be read ‘that day six months.’ The bill would ‘save Roman Catholics, but would leave their Protestant fellow-subjects still exposed to these penalties as infringements of Common Law.’⁶ Ecclesiastics and members of the Established Church in Ireland were

¹ Hansard’s *P. D.* (third series), vol. lxxxvi. p. 166.

² *Ibid.* vol. lxxxix. p. 1059.

⁴ *Ibid.* p. 1061.

⁵ *Ibid.* vol. xc. p. 452.

³ *Ibid.* p. 1060.

⁶ *Ibid.* p. 463.

now 'prohibited from wearing their robes in processions; but this bill would allow the Roman Catholics to do so.'¹ The Act of 9th and 10th Victoria had been referred to, 'repealing the laws against the introduction of Bulls and Rescripts and other articles of the Church of Rome.' Sir Robert 'regretted that these laws had been repealed.' This was 'the only country in Europe into which the Pope could issue his Bulls without the previous sanction of the Executive Government.'²

In this debate, the Right Honourable Thomas Babington Macaulay also crosses our path. He held and argued strongly, 'that to many of the provisions of this bill we ought undoubtedly to give the force of law.'³ Till you repeal the 1st of Elizabeth, c. 1, relating to the Supremacy, he maintained, 'that every Roman Catholic in England was liable to fine and imprisonment for being a Roman Catholic.' The bringing in of a Papal Bull was 'still a misdemeanour, and left them subject to fine and imprisonment.'⁴ As to Processions, he was certainly of opinion 'that it would be unjust and inexpedient to confer on Roman Catholics the power of making the processions of their Church in public in this country.'⁵ With reference, finally, to the Monastic Orders, 'it was perfectly clear that the existing enactments could not be enforced; that a Franciscan, *e.g.*, be "banished," and on his return be "hanged."'⁶

Sir Robert Peel explained that this bill had 'two objects: (1) the repeal of many enactments contained in the Statute of 1829, and (2) the carrying further of the Acts of last session and of 1844, abolishing laws that had become practically obsolete.' So far as the latter object was concerned, the proposal 'had his cordial and entire assent.' It supplied omissions 'made by the framers of the Acts of 1844 and 1846.' As to the other portion of this measure—the repeal of the Enactments of 1829—he must record his

¹ Hansard's *P. D.* (third series), vol. xc. p. 466.

² *Ibid.* p. 467.

³ *Ibid.* p. 472.

⁴ *Ibid.* p. 473.

⁵ *Ibid.* p. 476.

⁶ *Ibid.* p. 491.

'total dissent.'¹ Peel saw no reason 'why we should part with "securities," or those provisions thought to be "securities," at the time the Roman Catholic Disabilities were removed.'² And this time the bill was carried only by a majority of 3.

When the House was called upon to go into Committee on the measure, 14th April, Sir Robert H. Inglis resisted the proposal by an amendment for 'that day six months.'³ He denounced it as 'one of a series of measures, having for their tendency, I will not say their design, to un-Protestantise the Constitution of England, and to degrade its Church.' And, in a fervid appeal, he summoned the leader of the House never to forget the dying words of his immortal ancestor,—'Resist the progress of Popery.' At last the bill was rejected by a majority of 39, and disappears from the scene in that form at least. It scarcely deserves the attention we have given it, save as a prime instance of the sapping and mining process by which every so-called 'security' in the Act of 1829 is attacked, till one after another, yea, all of them, are surrendered to Irish clamour and to Papal Claims.

But towards the close of that same year, 8th December 1847, Parliament is seriously engaged once more on another Roman Catholic Relief Bill. This time it was promoted by Mr. C. Anstey.⁴ The explanation is given by Sir Robert H. Inglis, who speaks of it as 'the bill of Mr. Watson, the *late* Member for Kinsale.'⁵ It drew forth a speech from the Right Honourable W. E. Gladstone, which, as bearing on many of his contentions since on this and cognate themes, deserves somewhat careful analysis.

The Bill dealt, he said,—'(1) With ancient Statutes; and (2) with the Act of 1829.'⁶ As to the former, 'on many

¹ Hansard's *P. D.* (third series), vol. xc. p. 493.

³ *Ibid.* vol. xci. p. 753.

⁵ *Ibid.* vol. xcv. p. 810.

² *Ibid.* p. 495.

⁴ *Ibid.* vol. xcv. p. 800.

⁶ *Ibid.* p. 840.

points, I, for one, am greatly in the dark.' For instance, as to the clause bearing on the Act of Supremacy, 'if the penalties be removed, the whole clause is *ipso facto* destroyed.'¹ Or, 'if the repeal does not touch the offence at Common Law, better leave it as it is!' As to the Act bearing on the Bulls from Rome,—'if it strikes against only such Bulls as impeach due obedience to the Queen, that is by no means an unreasonable law.'

'But,' continued Mr. Gladstone, 'the substantial question is the Act of 1829. And I do think that we cannot with justice, with a due consideration to Roman Catholics, and with a full recognition of the principles on which Parliament professes to act, adhere to the entire settlement of 1829.' He held that there were 'good grounds why we should go into Committee for the fullest consideration of its provisions.' For example: (1) the question of 'further liberty with respect to the performance of the rites of the Roman Catholic Religion;' (2) the 'Insignia of office,' and where they may not be worn, 'I am not prepared to repeal that law;' and (3) the Religious Orders,—'I cannot make up my mind that it is a sound or reasonable ground to exclude from this kingdom all persons, subjects of her Majesty and otherwise, entitled to reside in it, for the simple reason that they belong to one of these Religious Orders.'²

And then, to show the swinging of the pendulum, as well as the fatal finessing of his own type of mind, Mr. Gladstone added,—'But in this I draw a broad distinction between Jesuits and the others,' and waxed eloquent on 'the spirit of exaggeration in their views of Obedience,' and denounced the Jesuits as 'dangerous to society as now constituted in this country.'³

It does not require any preternatural vision to discover, in that early Manifesto of this famous statesman, the working

¹ Hansard's *P. D.* (third series), vol. xcv. p. 842.

² *Ibid.* p. 843.

³ *Ibid.* p. 844.

together in one mind of those conflicting, if not contradictory, principles which produced, in the course of years, the man who could be at once the champion of Establishments, and yet the overthrower of the Irish Church,—the author of *Vatican Decrees* and *Vaticanism*, and yet the promoter of the bill to throw open to Roman Catholics every Office in the Kingdom,—and, finally, the defender of the Legislative Union, and yet the foremost advocate of Home Rule for Ireland.

Notwithstanding all finessing of statesmen, and all angling for Roman Catholic votes by politicians, this bill could not be brought to the birth.¹ It struggled hard through Committee, February 1848, and again, in March and May, dividing itself into 'two parts' to secure the survival of the fittest,² and then, apparently, it dropped into the limbo of the 'innocents.' Next session, February 1849, Mr. Anstey once more tried his fortune, but the House refused 'leave to bring in the bill' by a majority of 2.³ And at length the Pope, of all men on earth, finally slew the bill; for, when the Member for Youghal again urged the Commons for 'leave' to introduce it in February 1851, the motion was ignominiously rejected as 'inopportune' by a majority of 140. *Why inopportune?* The 'Papal Aggression' had meantime taken place; and men's eyes had been opened wide to certain startling possibilities, in which before no Protestant could persuade them to believe. The Pope managed to convince them!⁴

Side by side with that measure, another on 'Diplomatic Relations with Rome' had been running its course through Parliament. A bill was laid on the table of the Lords by the Marquis of Lansdowne, 7th February 1848, 'to enable Her Majesty's Government to open and carry on Diplomatic Relations with the Court of Rome.'⁵ Lord Stanley firmly

¹ Hansard's *P. D.* (third series), vol. xcvi. p. 701.

² *Ibid.* vol. xcix. p. 134.

³ *Ibid.* vol. cii. p. 373.

⁴ *Ibid.* vol. cxiv. p. 362.

⁵ *Ibid.* vol. xcvi. p. 169.

objected 'that it was directly contrary to what were understood to be the Established principles, that the Sovereign of a free Protestant country should hold any sort of intercourse with the Temporal Head of the Church of Rome.' Next day the Earl of Eglinton, 'approving of its general principle,' indicated the peril and impracticability of such relationships with a free and independent Protestant State, by seeking a proviso that the Ambassador from Rome to Britain 'should not be an Ecclesiastic,'¹ as 'such an Embassy to London might be made a nucleus of Jesuits.'

During the Second Reading Debate, on 17th February, Lansdowne, dealing with 'the supposition that, in the Bill of Rights and Act of Settlement, the Sovereign was "disabled" from entering into these Diplomatic Relations,'² was inclined to contend 'that these Acts did not so disable her Majesty.' 'Scarcely a reign had elapsed in which negotiations had not been attempted to be set on foot, indirectly and circuitously';³ as *e.g.*, 'when Sir Robert Walpole employed his brother Horace.' Since 'the intercourse must exist, it was better that it should be carried on under circumstances of undoubted legality, and under the control and observation of public opinion.'⁴

The Duke of Newcastle effectually struck the Constitutional nail on the head, when he vehemently declared, 'that nothing could be more dangerous than allowing another Sovereign, and that Sovereign the Pope, to interfere in the affairs of this country.'⁵

Wellington made the somewhat perplexing announcement,—'that by Lord Lyndhurst's Act, 9th and 10th of Victoria, c. 58, the penalties were mitigated or abolished;' but that all the Lords and Judges held that the enactments remained—that the offences remained as 'misdemeanours,' though the Penalties of *Praemunire* were 'abolished.' Then

¹ Hansard's *P. D.* (third series), vol. xcvi. p. 285.

³ *Ibid.* p. 765.

⁴ *Ibid.* p. 769.

² *Ibid.* p. 762.

⁵ *Ibid.* p. 770.

he continued,—‘I move a clause that nothing therein should affect the laws, which ensure the Supremacy of the Crown in all affairs, Ecclesiastical as well as Civil.’¹ With that proviso, he was willing ‘to support the bill.’ And, after duly encountering all other stages, the bill passed the Lords on 28th February, another clause having been introduced at the suggestion of the Duke, whereby the Pope was described therein as ‘Sovereign of the Roman States.’²

Possibly he saw, in this formality, some visionary safeguard against being committed to recognise him as ‘Pope’ and ‘Bishop’ of the Church,—trifling with himself and others over the illusion that this Nation may homologate the Pope’s Claims under one guise, and renounce them under another. The Sovereign Pontiff accepts all concessions, and knows how to utilise them all.

When the bill reached the Commons, it was savagely attacked by the Roman Catholics themselves. Mr. J. O’Connell held ‘that the main object of the bill was to give the Government an illegitimate influence over the Catholic Clergy in Ireland.’³ That was on August 24th; and again on August 29th, in the Third Reading Debate, he returned to the attack, but this time with a different edge of the weapon, for now it appeared ‘that the bill was opposed by the Roman Catholics, because two of its clauses contained an absolute insult to the Head of the Roman Catholic Church.’⁴

The session was in its dying hours, and the bill perished with it. But it is worth recording and studying here. Opportunists have never ceased since to dabble with this question of ‘Diplomatic relations’—not even, shameful to say, when the Pontiff has ceased to be a ‘Sovereign,’ and could only be dealt with as the subject of our friendly ally, the King of United Italy! which is just the same thing as if the Czar of Russia should propose to send an Ambassador

¹ Hansard’s *P. D.* (third series), vol. xcvi. p. 779.

² *Ibid.* p. 1387.

³ *Ibid.* vol. ci. p. 495.

⁴ *Ibid.* p. 628.

to one of the subjects of Queen Victoria,—deserving, we all agree, to be driven back with contempt across the seas.

SECTION VII

Papal Aggression and Ecclesiastical Titles

WE have now reached the 7th February 1851. Lord John Russell, as Prime Minister, finds himself on the floor of the House, denouncing the 'Papal Aggression,' and proposing his ill-fated 'Ecclesiastical Titles Bill,' as a counterblast to the Pope's decree. The irony of circumstances is seen in Lord John, of all men, being called upon to champion the Anti-Popish cause, who, in a former debate, declared himself 'far from adopting the opinion that nothing more was to be conceded to Roman Catholics.'¹ In introducing his measure he pointed to the number of petitions, the whole Nation being in arms, 'praying the House to resist encroachments on the part of a Foreign Sovereign.' He had publicly told the Roman Catholics that they had 'more' still to expect—the Head of their Church has suddenly put him on his mettle, and he is compelled to say where he will draw the line. Answering the warnings that had reached him 'not to retrograde,' Lord John contended 'that the only retrograde step which he proposed was the natural action of a man who finds that a blow is aimed at his head, and who steps backward to raise his arm, and put himself in a posture of defence.'² Oh, says some mocking spirit,—But who placed the antagonist so near that he could strike your head? And visions of 'Emancipation' speeches flit by!

Detailing the history of events, Lord John said 'that last year the nomination of an Archbishop for Ireland was

¹ Hansard's *P. D.* (third series), vol. lxxix. p. 1229.

² *Ibid.* vol. cxiv. p. 188.

made in an unusual manner by the Roman See.' A Clergyman, long resident at Rome, was promoted by Papal Authority, 'instead of any of the three names sent from Ireland.' Immediately a Roman Catholic Synod, 'the first since the Revolution,'¹ was held at Thurles; and the proposal to issue an 'Address to the people of Ireland' was carried by a majority of 1. That might have been understood 'had it referred to matters of internal discipline' in their own Church; but the two main subjects of the Manifesto were these: (1) 'The danger of the System of Education in the Colleges established by the Queen, in conformity with Act of Parliament,' which were said to have been established 'in ignorance of the inflexible nature of the Roman Catholic Church,'² and to constitute a great 'danger to the faith and morals of Catholics;' and (2) 'A description of the estate of the poorer portion of the Irish peasantry,' who had been thereby seditiously 'excited'—in fact, 'no language had been omitted which could excite their feelings,' particularly against the 'Owners of the Land.' Lord John asked, not without cause, 'whether these could be called entirely matters of *spiritual* concern? They were holding forth to odium the Act of Parliament! They were exciting the people to hatred of the laws!'³

He argued, therefore, 'that an interference of Clerical bodies with the Temporal and Civil concerns of the State had been attempted, not as a system, but as a beginning, to be matured into other measures, and to be exerted on future occasions, with more potent results.' And he intimated that the signature to the published Address of the Synod of Thurles was in the following form,—'Paul, Archbishop of Armagh, Primate of Ireland.' This is the Roman 'resident' above referred to, formerly known as 'Doctor,' now as 'Archbishop and Primate,' and yet to be handed down

¹ Hansard's *P. D.* (third series), vol. cxiv. p. 189.

² *Ibid.* p. 189.

³ *Ibid.* p. 190.

to notoriety as 'Cardinal' Cullen. His signature, however, was a mysterious affair. The Lord-Lieutenant had been consulted about it, and had gravely answered, on his official responsibility, 'that he probably had not signed it, but that his name had been affixed to it!'¹ This shuffling, however pitiful, is only to serve a purpose. Lord John need not expiscate the mystery further. This same 'Paul' and all his kin will soon sign their names and titles boldly enough, and flaunt them defiantly in the face of every British law.

Reviewing events in Sardinia and in Belgium, in which the Priests were mixed up with 'Civil troubles,' and with struggles over 'Education,' Lord John then came to this country.² In September, 1850, 'Letters-Apostolic appeared, announcing that Rome had altered the Ecclesiastical arrangements here from Government by Vicars-Apostolic to Government by Archbishops and Bishops, amongst whom this country was to be divided; and all this without the consent, and without the knowledge, of the Government of this country!' Lord John held up his hands in dismay,—'I never dreamed, when the project was talked of in 1848, that the Government of Rome, being a friendly Government, would ever deem it possible to divide this country into Dioceses, without communicating with the Government! I did not believe that it could be intended so to insult the Queen!' He confessed that, on his part, matters had been conducted 'most trustingly,' but, as now appeared, 'most imprudently.'³ The spirit that so often looks out upon us from these pages, when the illusions and delusions of our statesmen are brought to light, in contrast with the sleepless and unerring Priestcraft, to which they surrender, flits across the stage and cries, 'Befooled again!'

Lord John, from information officially received from France, Austria, etc., was in a position to declare,—'that

¹ Hansard's *P. D.* (third series), vol. cxiv. p. 191.

² *Ibid.* 192.

³ *Ibid.* p. 193.

there was no country in Europe, upon which the Pope would have attempted to pass this insult that he has offered to the Kingdom of England.' An Archbishop is 'pretended to be appointed to this Metropolitan city; and other Sees are pretended to be created.'¹ Further, 'the document issued, as to the appointment of Dr. Wiseman, declares at once,—'We govern, and shall continue to govern, the counties of Middlesex, Hertford, and Essex.' Here we have indubitably 'the assumption of Territorial Sovereignty.' There is no pretence of 'limiting it to Roman Catholics alone.' And the only excuse that one hears offered is, 'that this is according to the forms of the Church of Rome.' May be! But there is 'another form, running thus: "Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland Queen,"—and no authority but hers can "govern" in these countries!' If they mean to say 'that this is an authority "assumed, but not to be enforced," I owe them no thanks for it. It is not to be enforced, simply because it cannot!'²

The Government had asked its Law Officers as to prosecution, and the answer was—(1) 'With regard to the assumption of these particular titles, and the present state of the law, they did not think that, either by Common Law or Statute Law, the assumption of these titles was illegal, or that those assuming them could be prosecuted with effect;' and (2) 'But the introduction of Letters-Apostolic into this country was, in their opinion, an offence,—that it would be declared unlawful, and subject to penalty,—but that the statute had not for a long time been put in force, and that the prosecution might on that account fail.' To run such risk, the Government had, therefore, deemed to be 'unadvisable.'³

With an assumption of innocent simplicity that did him little credit, Lord John professed to be in great uncertainty,—'whether this of Rome is but the prelude to further mea-

¹ Hansard's *P. D.* (third series), vol. cxiv. p. 198.

² *Ibid.* p. 199.

³ *Ibid.* p. 201.

tures, or whether it is merely a blunder, committed on the sudden, which will be retracted or amended.'¹ What a chuckle must have gone round the *Curia Romana* at these words, as when the spider sees another fly caught in his web! He reminded the House 'that Peel's clauses in the Bill of 1829 had been received with thanks from the Roman Catholic Clergy, Archbishops, and Bishops, to the number of twenty-six, even in the year 1830,' and compared *their* terms with 'Archbishop Cullen's language now.' They did not ask for their 'repeal,' and contented themselves with a passing 'regret that they were necessary.'²

Contending, in brief, that these titles implied 'the assumption of a Supremacy and of Sovereignty, which ought not to have been authorised by the Pope of Rome,'³ and that this 'could not be denied,' Lord John proposed by a new Act,— 'to prevent the assumption of any title, taken not only from any diocese now existing, but from any territory, or any place, within any part of the United Kingdom.'⁴ He proposed 'no new system of relations betwixt the See of Rome and this Country.' He contended for 'the fullest enjoyment of Religious liberty; but was entirely opposed to any interference on the part of Ecclesiastics with the Temporal supremacy of the realm.'⁵ He saw a 'total and entire distinction between the faith of Roman Catholics, *as practised by the great men of the time of our forefathers*, and the Ultramontane Doctrines, as they are properly called by the Duke of Norfolk, which are brought to us by the Court of Rome.'⁶ He believed 'that our powers of resistance to Rome at that moment were augmented, because so many loyal Roman Catholics, attached to the Crown, and attached to the Constitution of this country, now held public offices, and had been admitted to the Legislature of the Kingdom.'⁷

¹ Hansard's *P. D.* (third series), vol. cxiv. p. 204.

² *Ibid.* p. 205.

³ *Ibid.* p. 206.

⁴ *Ibid.* p. 207.

⁵ *Ibid.* p. 208.

⁶ *Ibid.* p. 210.

⁷ *Ibid.* p. 210.

But Lord John forgot that the Priests had a 'belief' on that subject too, and this History will verify their belief,—namely, that when the 'interests of the Church' are at stake, or when the Priests think so, every loyal Roman Catholic will stand by them, and let Queen and Country drift where they may!

Thus, upon the whole very bravely, was launched the proposal 'to bring in a Bill to prevent the assumption of certain Ecclesiastical Titles in respect of places in the United Kingdom.'¹ Peel had passed away, on 3rd July 1850, from the scene of his defeats and victories; but, in reference to this question of 'Ecclesiastical Titles and Dignities,' it would almost seem as if his mantle had descended on the shoulders of Lord John. Alas, we shall live to see that, in his case not less than in Peel's, the bravest talk and the closest reasoning may sometimes be nullified by weak surrender and illogical concession. As yet, however, all seemed bold and true.

Amongst many names that meet us in the debate that ensued, we pause for a moment and listen to John Bright. From his standpoint, the whole thing was 'contemptible.' He predicted 'that the end was not to be found in the little, paltry, miserable measure, which the noble Lord appeared to be about to bring in to meet this great emergency, but this is only the beginning of a great struggle on which we are, as he says, about to enter.'² He somewhat scornfully remarked 'that he would not be surprised if the noble Lord found himself devoured by his own hounds, so that this measure, at present of such great popularity, should prove the destruction of his Government!' Launching more deeply on the sea of speculative argumentation, and revealing his own purely Secularistic Legislative standpoint, Bright exclaimed,—'This is not a subject for us to discuss in Parliament at all! And we are discussing it in consequence of the errors of our fathers.'³ . . . I will neither legislate against

¹ Hansard's *P. D.* (third series), vol. cxiv. p. 211.

² *Ibid.* p. 243.

³ *Ibid.* p. 244.

Roman Catholics, nor in support of Establishments. And I can see nothing but evil in the course which the noble Lord is pursuing.’¹

Thereon, Benjamin Disraeli rose ‘to recall the House from controversial rhetoric!’ There had been ‘a National demonstration, seldom perhaps equalled,’ and there comes out of it ‘this paltry measure.’ Was it ‘for this that the Lord High Chancellor of England trampled on a Cardinal’s hat? Is this piece of petty persecution the only weapon we can devise?’² He, then, mercilessly showed up Lord John’s inconsistency. In 1845, the noble Lord had declared to them ‘that these clauses of the Act of 1829 could be safely abolished—that there was no good in them!’³ The miserable policy was now opened before them of ‘another Papal Aggression,’ and another measure adopted to meet ‘the new insult on the supremacy of the Sovereign.’⁴ And then, with a fetching vagueness, as if some broad and noble policy underlay the words, the wily Party leader continued,—‘To reconcile the recognition of the Roman Catholic Hierarchy by the law, with a sacred and complete respect for the Civil and Religious liberties of the Roman Catholics, may be a Political problem difficult to solve, but not in my opinion impossible. And that, not by a *Concordat* with any Foreign Power, but by the internal and essential powers of the English Parliament.’ He told them to ‘pass the bill, and to remember that thereby they had done nothing!’ They had only ‘gained a little time,’ and would have to ‘encounter the same difficulties again very shortly,—aggravated by our inconsistency, by the spirit in which we first recognised our danger, and the craven manner in which we afterwards shrank from meeting it.’⁵ He began by denouncing ‘controversial rhetoric,’ and he ends by a burst of ‘rhetoric’ about which there could be no controversy. Baffle the Government,—

¹ Hansard’s *P. D.* (third series), vol. cxiv. p. 256.

² *Ibid.* p. 257.

³ *Ibid.* p. 259.

⁴ *Ibid.* p. 261.

⁵ *Ibid.* p. 262.

that is the game of Politics, when you happen to be in the Opposition !

The case is thus presented, but we must not linger over details in the progress of the bill. It required a second night's debate, ere 'leave was granted.'¹ When the second reading came on, March 7th, the measure had already brought about a 'Ministerial crisis.'² Sir George Grey was making these suggestions,—(1) 'To declare by resolution that all rights and dignities, assumed under authority of the Pope, are null and void ;'³ and (2) 'To exempt Ireland from the operation of this bill.'⁴ And Sir Robert H. Inglis quickly replied,—'that the Legislation proposed was a gradual approximation towards doing nothing !'⁵ And so, for seven long nights in March, the debate kept raging on ; and it must surely have surprised every one at last that, when the vote was taken, the majority in favour of the bill actually numbered 343. Endless debates in Committee then followed, almost every third day, all through the months of May and June.⁶ It occupied the Lords nearly the whole of July.⁷ And, at last, after all these Herculean toils, the 'Ecclesiastical Titles Assumption Bill' was placed upon the Statute-Book,—only to be immediately ridiculed by its own promoters, and ere long repealed, as we shall see, with a short shrift and little grace ; and chiefly remembered, in certain quarters, as vindicating the epigram on Lord John as the little vulgar boy who wrote 'No Popery' on the walls, and then ran away !

¹ Hansard's *P. D.* (third series), vol. cxiv. p. 362.

² *Ibid.* p. 1120.

³ *Ibid.* p. 1125.

⁴ *Ibid.* p. 1127.

⁵ *Ibid.* p. 1141.

⁶ *Ibid.* vol. cxv. pp. 34-618.

⁷ *Ibid.* vol. cxvi-cxviii.

SECTION VIII

Roman Catholic Oaths.

THE years that are still before us, besides witnessing an unceasing guerilla warfare on minor Claims and Concessions, present to our study several of the greater questions bearing on the theme of this History. These are at once suggested to the reader by such phrases as 'Abolition of Oaths,' 'Resolutions regarding the Irish Church,' 'Roman Catholic Education,' and 'Removal of Religious Disabilities.' And it is also forcibly impressed upon our minds, that the Parliamentary Movements, that group themselves under these heads, must be passed swiftly in review, and more summarily dismissed than such have heretofore been; partly *because* the debates are multitudinous and full of repetitions, and chiefly *because* all the principles at stake have been already largely illustrated and enforced in the preceding descriptions of as great, if not greater, similar events.

The contention, for instance, regarding Oaths, and particularly what were known as the 'Catholic Oaths,' was long drawn; but, in the esteem of the new 'Emancipators,' altogether vital.

Lord John Russell got a bill on the subject of the Oaths the length of a Second Reading Debate, on 25th May 1854. It was denounced by Sir Frederick Thesiger as 'solely for the advantage of Roman Catholics, and of these Romanising Protestants who exhibit so much restlessness about the Supremacy.'¹ And Disraeli chaffed its promoters as providing 'Glad News for the Vatican,—an English Minister, proposing to relax and renounce those "Securities" which Peel and Wellington devised in 1829; another great surrender!'² But, for the time, the bill was rejected by a majority of 4.

¹ Hansard's *P. D.* (third series), vol. cxxiii. p. 870.

² *Ibid.* p. 978.

In 1863, Lord Campbell tried, on the other hand, to get the 'Oaths of Allegiance and Supremacy,' enacted in King William and Queen Mary's first and second years, 'substituted for the Oaths now required to be taken by Her Majesty's Subjects *other* than Roman Catholics.'¹ But the bill seems to have been extinguished with the closing session.

In March 1865, the attack was fairly opened, on the Roman Catholic Oath of 1829, by Mr. Monsell carrying a motion,—‘that leave be given to bring in a bill substituting another Oath,’ in the place of that one, ‘for the Relief of her Majesty's Roman Catholic Subjects.’² This was done by Sir Colman O’Loghlen, Sir John Pope Hennessy, and the mover himself, — protesting ‘that it affected their honour and touched their conscience.’ The bill was fully debated through all its stages; at length the second reading was ‘agreed to’ by the Commons on 30th May, and the amendment of Sir Hugh Cairns was discussed in Committee on June 12th.³ He contended ‘that this bill was originally introduced on the ground that certain provisions, in the Oath taken by Catholic Members of Parliament, were “unnecessary and offensive;” particularly the abjuring of the opinion that persons excommunicated by the Pope might be “deposed or murdered,” and also the repudiation of any intention to “equivocate, evade, or use mental reservation;” and so far he agreed with them.’ But ‘another part of the Oath, he wished to see restored, namely, that pertaining to “defending the present settlement of Property,” “abjuring any intention to subvert the present Establishment,” and swearing “never to use any privilege to disturb or weaken the Protestant Religion or the Protestant Government.”’⁴ Yet his amendment was rejected by a majority of 19, and the measure passed next day to the House of Lords.⁵ Its course there

¹ Hansard's *P. D.* (third series), vol. clxxi. p. 1228.

² *Ibid.* vol. clxxviii. p. 24.

³ *Ibid.* vol. clxxix. p. 1051.

⁴ *Ibid.* vol. clxxx. p. 46.

⁵ *Ibid.* p. 84.

was brief and stormy. At the second reading, the Earl of Derby carried his amendment 'that it be read that day three months,' and the bill was thereon thrown out by a majority of 21.¹

With February 1866, the struggle entered on a new phase. Sir George Grey, seeing that the House and the country were weary of these partial and limited battles, grappled with the whole question in his 'Parliamentary Oaths Bill.' As to the 'Protestant Oath of 1858, consolidating the three Oaths,²—Allegiance, Abjuration, and Supremacy,'—Sir George contended 'that the Abjuration portion should now be dispensed with;' and that the last portion, now taken only by Protestants, was 'entirely useless—as it was absurd to ask Protestants to deny the Jurisdiction of the Pope!' As to the 'Roman Catholic Oath,—the Abjuration portion, in their case also, was useless;' while the portions from the Oath of 1829 were 'not only useless, but needlessly offensive—providing no real security for the Protestant Religion, and needlessly placing the Roman Catholics in the Legislature on a footing different from others.'³ He proposed, therefore, 'One Uniform Oath for all,' namely, the first portion of the present Oath—'the Oath of Allegiance to the Crown.' His bill, accordingly, repealed the existing Oaths, and prescribed the following: 'I, A. B., do swear that I will bear true Allegiance to her Majesty Queen Victoria, and defend her, to the utmost of my power, against all attempts and conspiracies whatever that shall be made against her Crown, Power, and Dignity.'⁴

So entirely had the House swung round on this subject, that Sir George's bill passed the second reading by a majority of 293, while the minority numbered only 5! Its progress all through, in the Lords as well as in the Commons, was of a piece with this; and when the bill came back with a

¹ Hansard's *P. D.* (third series), vol. clxxx. p. 821.

² *Ibid.* vol. clxxxi. p. 454. ³ *Ibid.* p. 455. ⁴ *Ibid.* p. 1712.

few slight emendations by the Peers, Sir George advised the House of Commons 'that the amendments were perfectly harmless and ought to be accepted.'¹ To show the complete unanimity of the Commons, Mr. Whalley served a good purpose by moving to insert again the words 'being Protestants,' after the words 'Heirs and Successors.' But the motion had 'not even a seconder!' And Sir George Grey had ample reason for expressing his satisfaction 'that by this bill all distinction of Religious creeds was henceforth abolished,—and that with the concurrence of both Houses, and of both great parties in the State.' Literally and technically that was true, but only regarding Members of Parliament, and the Oaths to be taken or subscribed by them, as we shall shortly see.

Side by side with this general measure, another bill had been struggling to get into law—'for the abolition of the Declaration against Transubstantiation, etc.' 'It reached a second reading in April 1866.'² But Mr. Whalley did not like it—'the Oaths' Bill was for unmuzzling Roman Catholics; and this bill was for muzzling Protestants.' It was 'post-poned' till the larger measure had been engineered to safety. Then it was pressed through, and sent up to the Lords in June. But when the day for the second reading arrived, 'the order was discharged,' apparently because, in the language of Lord Derby, 'the bill trenched upon the whole question of the Oaths.'³ The objection, however, does not seem to have held fast very long, whatever it might mean. For the bill, revived early in 1867, passed triumphantly through every stage alike in Lords and Commons, and became law by the 'Royal assent' on 25th July of that same year.⁴

Thus perished and passed away another large section of the Relief Act of 1829; what was regarded by Peel as a

¹ Hansard's *P. D.* (third series), vol. clxxxii. p. 2176.

² *Ibid.* p. 2007.

³ *Ibid.* vol. clxxxiv. p. 84-89.

⁴ *Ibid.* vol. clxxxv.-clxxxviii.

great and vital 'Security,' without which he and his friends would never have dreamed of proposing any such measure ; and which, at that time, all Roman Catholics in the United Kingdom 'declared' and 'protested' in every form of words by which human beings can pledge themselves, they loyally accepted and would as loyally maintain. Of course, it was 'constitutionally' disposed of, and of course, as ever heretofore, Protestants largely did the work and professed to do it all in the interests of Protestantism. All the same, every candid student of history feels and sees that the Papal Party, in the House and out of it, were the real 'sapping and mining' force ; and every fair mind will be constrained to admit, as the pages of the future history unfold, that Popery has utilised these concessions, as it will utilise all others yet to come, as it has utilised all these made in preceding times, for its own progress from Toleration to Equality,—and that it steadily marshals all its forces for the inevitable next and final struggle for ascent from Equality to Supremacy in the United Kingdom. That is the goal of Roman Catholics. Have Protestants any goal? If so, what is it for this Empire?

SECTION IX

The Irish Church Establishment

OUR next main theme must be the Irish Church.

We have seen the lines of assault mapped out already by several eager hands. Resuming the threads of the story where we dropped them, we hear, in February 1853, Mr. Moore putting a question to the Government,—'Whether it was their intention to legislate with regard to the Established Church of Ireland, on the basis of a perfect Religious Equality?'¹ And Lord John Russell answers, 'No such

¹ Hansard's *P. D.* (third series), vol. cxxiv. p. 355.

intention!'—like a man, slighted by such a question, as if it implied some villainy or crime. He had not yet realised the persistent energy of the 'Emancipated' ones, nor yet, to do him justice, the squeezability of all Governments in order to secure the 'Catholic Vote,' which he and others had so gaily introduced into Parliament. But *gutta cavat lapidem*; stroke after stroke must smite the 'Emancipators' again into surrender.

So, in June 1854, Mr. Serjeant Shee brought on his 'Irish Church Temporalities Bill'—'to alter and amend the laws.'¹ It was debated three several nights; and at last 'negatived' by a majority of 86.² But not without sufficiently convincing Opportunists, on the outlook for bait to catch votes, that this was a question that must be reckoned with, that Roman Catholics would render all government of Ireland impracticable till they were 'satisfied.'

By-and-bye, after unimportant skirmishes, there came in 1863 Mr. Bernal Osborne's motion—'For a select Committee to inquire into the present Ecclesiastical Settlement in Ireland.'³ It was debated, and adjourned, and debated, till it 'dropped out of view' amidst the crowd at the close of the session. But it left a still deeper mark on the mind of the political leader,—eager to carry votes.⁴

Mr. Dillwynn took up arms, in 1865, and tried to carry the Commons and commit his whole party to the resolution:—'That in the opinion of this House, the present position of the Irish Church Establishment is unsatisfactory, and calls for the early attention of her Majesty's Government.'⁵

The following year, 1866, Sir John Gray, deepening the colours in view of the accompanying Irish agitation, moved the House to resolve:—'That the position of the Established Church in Ireland is a just cause of dissatisfaction, and urgently demands the consideration of Parliament.'⁶

¹ Hansard's *P. D.* (third series), vol. cxxxiv. pp. 110, 1138.

² *Ibid.* vol. cxxxv. p. 432.

³ *Ibid.* vol. clxxi. p. 1560.

⁴ *Ibid.* p. 1716.

⁵ *Ibid.* vol. clxxviii. p. 384.

⁶ *Ibid.* vol. clxxxii. p. 973.

See here the evolution of an 'Irish grievance.' First of all, something is accepted as an equitable and final 'settlement,' and all desired 'securities' are gushingly given. Ere long the attack is opened by the Roman Catholic Members in the House, and they are supported by 'agitation' and uproar under the Priests and their Party in Ireland. By-and-bye, the train being thus fully laid by hostile hands, some scheming leader takes up the light and prepares to fire it in the interests of his Party. It is rather degrading to hear loud talk of lofty principles by the men who allow themselves to be wheedled into playing so base a part. And yet in every such case, from Peel down to the present day, they are constrained by 'conscience,' and by 'the true interests of Protestantism!'

The time was now ripe for it; and no student of this History can be greatly surprised, that one of the Party organisers found himself constrained and called upon to lead the final attack. We are not here discussing whether it was wise or unwise to extinguish the Irish Establishment; wisest men have differed, and may continue to differ, on such an issue, and for the noblest reasons on either side. But we are tracing the origin and development of the movement, and the aims and motives of the men who carried it through, that true history may appraise them as they deserve. It was beyond all question the Roman Catholic impulse that drove home the wedge, first of all, as we have proved,—the impulse from men solemnly sworn 'to use no privilege of Parliament to disturb or weaken the Protestant Establishment.'

The lead was at last taken by the Right Honourable William Ewart Gladstone; and he, who had hitherto considered it a 'glorious enterprise' to defend the United Church, now climbed to power on the ruins of the Irish Establishment. On 19th March 1868, he gave notice of 'Resolutions,' to be laid on the table on the following Monday,

bearing upon the Irish Church.¹ The Resolutions, read on March 23rd, were three:—(1) 'That it was necessary that the Established Church in Ireland should cease to exist;' (2) 'that it was expedient to prevent the creation of new Personal interests;' and (3) 'that her Majesty be prayed to place at the disposal of Parliament her interest in the Temporalities of the Church of Ireland.'²

It now appeared to him that the Irish Establishment was 'unfair to the Catholics and injurious to the Empire.' His purpose was 'to remove what still remained of the scandals and calamities in the relations between England and Ireland.'³ The forces, who have pushed Mr. Gladstone to this conviction, will manage by the same weapons to convince him that there are other and still other 'scandals and calamities,' or what they think such, again needing to be removed, and that Ireland can have 'no tranquillity' till, one after another, their demands have all been conceded, culminating in something very like 'separation' from Protestant Britain. At that early day, in 1868, he dreamed not of such issues. In his esteem, the overthrow of the Irish Establishment was once for all to bring about the fated 'Union of Hearts,' and 'fill up with the cement of human concord the noble fabric of the British Empire.'⁴

It is amazing how politicians can go on talking trash like this for fifty years,—disappointed in every concession they make, insulted and badgered by the very people whom they made all their sacrifices to conciliate, humiliated by further and still further surrenders all equally in vain; and yet they pass from the scene proclaiming just one other concession, and then there will come the 'Union of Hearts!' It is not statemanship, whatever it be; for statesmen are taught by History, and walk by her lessons, not by vain imaginings. The Irish Church ceased

¹ Hansard's *P. D.* (third series), vol. cxc. p. 1974.

² *Ibid.* vol. cxci. p. 32.

³ *Ibid.* p. 478.

⁴ *Ibid.* p. 495.

to exist; but, alas, the 'cement of human concord' came not thereby.

The gage of battle, thus thrown down, was lifted by the Government, not bravely and openly, but gingerly—as if they too were fishing for the Irish Catholic vote. Lord Stanley, in his amendment on March 30th, 'admitting that considerable modifications in the Temporalities of the United Church may, after the pending inquiry, appear to be expedient,' yet sought to commit the House to the declaration:— 'That any proposition, tending to the Disestablishment or Disendowment of the Irish Church, ought to be reserved for the decision of the New Parliament.'¹ This was not a very heroic issue to raise; nor could it be expected to evoke great enthusiasm. He discouraged the setting forth of 'premature propositions or vague assertions, either to fetter our own judgment, or to interfere with the judgment of the Reformed House of Commons.'² The debate was conducted with great spirit through five long nights; but the motion of Mr. Gladstone, for a Committee of the whole House 'to consider the Acts'³ establishing and endowing the Irish Church, was at length carried by a majority of 56.

When the Committee sat to 'consider the Acts,' Mr. Gladstone moved:— 'That it is necessary that the Established of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property.'⁴ Sir Frederick Heygate moved as an amendment:— 'That so long as the Union exists, it is just and consistent that the principle of an Established Church should be maintained in Ireland, and its Endowment on a scale suitable for the wants of the population.' This was fought out on the 27th April, again on the 28th, and again on the 30th; and it was found at the final vote that the Ayes had a majority of 65.⁵

¹ Hansard's *P. D.* (third series), vol. cxc. p. 495.

³ *Ibid.* p. 790.

⁴ *Ibid.* p. 1338.

² *Ibid.* p. 506.

⁵ *Ibid.* p. 1675.

On the 4th May, Mr. Disraeli made some observations on the position and policy of the Government, 'labouring under this defeat.'¹ But on May 7th, the House again sat in Committee to 'consider the Acts,' and found, amongst other decisions, 'that it was expedient to prevent the creation of new Personal interests,' and that it was 'right and necessary that the *Grant to Maynooth* and the *Regium Donum* be discontinued.'² Also, upon the motion of Mr. Sinclair Ayton, it was resolved:—'That no part of the secularised funds of the Anglican Church, or any State funds whatever, be applied in any form to the endowment or furtherance of the Roman Catholic Religion in Ireland, or to the Establishment or maintenance of Roman Catholic Denominational Schools or Colleges.'³ After slight modifications, this was put and agreed to—only, as we shall see, to be cruelly and outrageously traversed by-and-by. And, finally, the address to her Majesty, to 'place at the disposal of Parliament her interests in the Temporalities of the Irish Church,'⁴ was passed through the Committee.

But we need not linger further on this preliminary skirmish. On June 29th, we find the Irish Church proposals in a bill founded on these resolutions, having passed triumphantly through the Commons, undergoing the fire of a second reading in the House of Lords. Parliament was on the eve of dissolution; and every one seemed to have forecast and discounted the action of the Peers. They determined to send the question to the Constituencies, and so carried Earl Grey's amendment by a majority of 95—'that the Bill be read that day six months.'⁵

This was a tremendous victory for the Roman Catholic Party; for, whoever might be the temporary agent, they had been all through the supreme driving force. And now they have so managed their votes and their agitations, that, rather

¹ Hansard's *P. D.* (third series), vol. cxc. p. 1694.

² *Ibid.* p. 1886.

³ *Ibid.* p. 1902.

⁴ *Ibid.* p. 1925.

⁵ *Ibid.* vol. cxiii. pp. 169-298.

than lose their support, the leader of the party to which they adhered has cast the Irish Church into the arena,—their pet aversion, at least for the time! Other motives, other high-sounding principles, doubtless, are vehemently proclaimed; but History lays her hand on mere bubbles, explodes them, and calmly shows in the glass of events the origin and development of movements like this. Whoever may smite down the Irish Church, and whether he merits glory or dishonour for the deed, it is beyond fair question that Roman Catholics are proved to have done all the preparatory undermining work, and done it while swallowing down the most solemn Oaths ‘neither to weaken nor disturb’ the Protestant Establishment.

In the New Parliament, which assembled on 10th December, 1868, Mr. Gladstone assumed the reins as Prime Minister, and lost no time in thrusting forward his ‘Established Church (Ireland) Bill,’—carrying aloft his ‘mandate’ from the Constituencies. On 1st March 1869, he moved for and received ‘leave to bring in a bill to put an end to the Established Church in Ireland, and to make provision in respect of the Temporalities thereof, and in respect of the Royal College of Maynooth.’¹

The second reading was debated on 18th, 19th, 22nd, and 23rd March,² and at last carried by the sweeping majority of 118. During one of those days of conflict, Sir George Jenkinson asked,—‘On what ground it was proposed to give to Maynooth the sum of £364,000, about fourteen years’ purchase of their present annual payment, whilst the Protestant Clergy were to receive only about eight years’ purchase of their present incomes?’³ But Mr. Gladstone, ever at home among figures, at once assured the House ‘that the question was founded in error; the actual facts being that the Bishops had been calculated at twelve years’ purchase,

¹ Hansard’s *P. D.* (third series), vol. cxciv. p. 412.

² *Ibid.* p. 1662-2128.

³ *Ibid.* p. 1658.

the Parochial Incumbents at thirteen, and the Presbyterian Ministers in connection with their *Regium Donum* at fifteen.¹

From April 12th till May 31st little else but the Irish Church Bill was heard of in the House of Commons or throughout the country;² and on June 1st, we find it being read a first time in the House of Lords, where the second reading was taken on June 17th, and the bill passed on July 12th.³ It was, of course, far from being unanimous; and no less than sixty Peers exercised their privilege of recording their 'reasons of protest' against this measure on the Journals of the House. Amongst these the two following deserve to be quoted and preserved in our History.⁴ Their sixth reason for protest was:—'Because it is impossible to place this Church, Disestablished and Disendowed and bound together only by the tie of a Voluntary Association, on a footing of equality with the perfect organisation of the Church of Rome,⁵ whereby, especially in Ireland, the Laity are made completely subservient to the Priesthood, the Priests to the Bishops, and the Bishops themselves are subject to the uncontrolled authority of a Foreign Potentate.' And their eighth reason was:—'Because, so far from conciliating, much less satisfying, it will only stimulate to fresh demands, that large portion of the population of Ireland, which looks forward to ulterior and very different objects, and above all to *ultimate Emancipation from the control of the British Legislature*.'

These words are at once a just interpretation of past history and a sagacious forecast of the future. The Irish Establishment, by this Act of 1869, 'ceased to exist' as from 1st January 1871. We are writing this page in 1892. The two decades that intervene have been among the most troubled and terrible in Irish History. Land League—Phoenix Park Assassination—Agrarian Crime—Fenianism—Coercion Bills

¹ Hansard's *P. D.* (third series), vol. cxciv. p. 1659.

² *Ibid.* vol. cxcv-cxcvi.

³ *Ibid.* vol. cxcvii. pp. 18-1661.

⁴ *Ibid.* p. 1661.

⁵ *Ibid.* p. 1662.

—and finally Home Rule—these are a few of the echoes that ring through all the three-and-twenty years. It might be right or it might be wrong to overthrow the Protestant Establishment,—that question we do not here discuss. But, since it was overthrown primarily to ‘satisfy’ the Roman Catholics of Ireland, since it was sacrificed as a price for the ‘tranquillity’ that was thereby to be purchased, and since, above all, its removal as an ‘injustice’ was to ‘conciliate’ the disaffected and bring about a Union of Hearts, History calmly informs us that in all these respects the Irish Protestant Establishment was sacrificed in vain. ‘Ulterior and very different objects’ inspire the ‘larger portion of the population of Ireland.’ The Priests know what these objects are, and incessantly utilise every concession to attain the one fixed purpose of Rome—the restoration of Papal Supremacy in every sphere of life and action. The politicians who see this, and trifle with its demands, are simply traitors to Civil and Religious Liberty. The politicians who fail to see it, and allow themselves to be befooled time after time by their own illusions and by the craft of Popery, are utterly blind to all the lessons of British History.

SECTION X

Roman Catholics and Irish Education

THE next main theme, illustrative of our subject, and requiring attention here, is that of Education,—to show the manner in which the ‘emancipated’ Roman Catholics defied and defeated every proposal and every Government that did not surrender to their demand for Papal ‘control.’ To detail the struggle completely would require many chapters, whereas we can find room only to indicate the issues at stake.

Sir Hugh Cairns, for instance, on 14th June 1864, tried to get the House of Commons to condemn a ‘new departure,’

marking an important first step in the surrender to the Priests of Rome. He moved a resolution :—‘That, in the opinion of this House, the rules sanctioned by the Commissioners of National Education in Ireland, on 21st November 1863, are, so far as regards their operation on the aid afforded to Convent and Monastic Schools, at variance with the principles of the system of National Education.’¹ He could truly say ‘that the complainers that night were not the foes of National Education, but its warmest friends.’² The National System was to ‘make no effort for, but to avoid even the suspicion of proselytism.’ It provided ‘Education for all in the common branches on absolutely equal terms,’ and at the same time made provision for ‘separate Religious instruction according to the doctrines of their different creeds.’ And to secure these purposes it required that all the teachers must be persons who had been ‘instructed in the Model Schools.’³

Here are the materials for an object-lesson on a National scale, as to whether it is possible for the Papal Party to be satisfied with *Equality* merely in any sphere of life or policy. Never could any country go further than Britain did, in laying aside its own most cherished ideas as to Bible Education, so far at least as to allow Protestant and Papist to be educated together on all other subjects, but separately on Religion. Statesmen made the walls of Parliament ring with the Union of Hearts that was to arise out of the friendly rivalry of the school-room and the play-ground! And such would undoubtedly have been the case, had the People been left to themselves; but there was a poison at work in this matter, as in all attempts at conciliation before or since,—the poison of Priestcraft from Rome, which statesmen refuse to take into account, and by which therefore they are again and again baffled and befooled.

¹ Hansard's *P. D.* (third series), vol. clxxv. p. 1761.

² *Ibid.* p. 1762.

³ *Ibid.* p. 1764.

So it was here, as Sir Hugh Cairns pointed out. The 'Model Schools,' for the training of the National teachers, were by-and-bye singled out by 'the Prelates and Clergy of the Roman Catholic Church as the objects of their special hostility.' Then the demand deepened into 'separate training for the Roman Catholic Teachers.' And Sir Hugh's charge now was, 'that the Board of Education, while professing to refuse the demand, had in reality granted it by their newly sanctioned rules.' He had, however, comparatively little support.¹ The vote after two days' debate gave a majority against him of 32, the Ayes numbering only 59, while the Noes were 91. The pressure of the Roman Catholic Brigade was at this point beginning to tell, and squeezable Governments showing that they were prepared to surrender the educational demands. As usual, in such circumstances, the assault was the more hotly urged.

In July 1865, accordingly, much larger proposals are already looming visibly on the horizon of politics. Sir John Pope Hennessy's question about rumoured negotiations between the Government and the Irish Bishops 'as to a Catholic University in Ireland,' revealed what was being agitated in scheming brains. For Sir George Grey replied:— 'That he had communicated privately with friends who were Roman Catholics, as to the manner in which a change could be made in the Charter of Queen's University in order to meet their views.' The Government, he innocently remarked, were desirous to afford 'the same facilities to Roman Catholics as to others for a University Education.'² Nay, Sir George; but the whole truth is that the Clergy of Rome refuse to allow the people to accept the same facilities that are provided for all the Nation on equal terms. They demand exceptional facilities, a University on their own terms, not on the National basis; and, as their votes are indispensable,

¹ Hansard's *P. D.* (third series), vol. clxxv. p. 1784.

² *Ibid.* (third series), vol. clxxx. p. 1178.

political emergency must find some decent excuse for again surrendering to Papal Claims.

To do them perfect justice, however, it must be admitted that they knew their men, and treated all Governments as alike susceptible to their blandishments or squeezable by their threat. And so Mr. Macguire was put up on 22nd November 1867, to inquire what course the new Government 'intended to adopt with reference to granting a Charter to the Catholic University of Ireland?'¹ And the Earl of Mayo blandly replied:—'That University Education in Ireland was at present engaging the most anxious attention of the Government; and he hoped that, when Parliament met at the ordinary time, he would be able to state the intentions of Government on the subject.' The House became agitated over the rumours of the intervening months; and, on 12th March 1868, Professor Fawcett asked the Chief Secretary 'to promise that the Government would not advise her Majesty to grant a Charter, until Parliament had an opportunity of expressing its approval or disapproval of the scheme.'² And the Earl of Mayo diplomatically assured him 'that they would take care to do so, before any final steps.' On the 19th, Mr. Lowe, still distrustful of the other party, somewhat brusquely insisted upon knowing,—'When and in what manner, it is the intention of Government to give the house the opportunity promised?' And the Chief Secretary, fencing warily, answered:—'In the manner most convenient; they were in the hands of the House!'³

The meaning of this fence and counter-fence is all explained to us when we reach May 28th, and find the Earl of Mayo explaining, 'that the correspondence referred to by Sir Colman O'Loughlen, and now laid on the table, has shown that the conditions which her Majesty's Government thought necessary to append to the granting of a Charter to

¹ Hansard's *P. D.* (third series), vol. cxc. p. 142.

² *Ibid.* p. 1456.

³ *Ibid.* p. 1892.

the Roman Catholic University have been declined by the Right Reverend Prelates who were deputed to act in the matter on the part of the Roman Catholic Hierarchy of Ireland.¹ He took occasion to intimate with emphasis that the affair, so far as the Government was concerned, 'was now at an end.'²

There was a time when this chaffering with the Priests of Rome, if done at all, would have been done secretly and indirectly, but openly scouted, as a thing humiliating and disgraceful in the representatives of a great and independent Protestant community. Times are changed. It is openly avowed in Parliament; and neither of the so-called Historical Parties seems to feel it any shame to be guilty of trying to satisfy Papal Claims instead of satisfying the demands of Civil and Religious Freedom. The Pope is consulted to aid the Queen in 'pacifying' Roman Catholics in Ireland.

The wheel of political revolution brought Mr. Gladstone back to power in the autumn of 1868 with a splendid majority.³ Amongst the many great undertakings with which he had pledged himself to grapple,—such as the Irish Church, and the New Land Bill for Ireland,—not the least vital in his esteem was this question of a 'Roman Catholic University for Ireland.' He seemed determined once for all to meet and grant every demand from Ireland—for Home Rule was then flouted as an idle dream, a thing almost criminal to be even thought of! So he squared the Romish Clergy by removing their pet aversion, the Irish Church Establishment; and he pacified the Irish Tenants by placing them in a position infinitely better than any agricultural peasantry either in England or Scotland; and he wished to crown the edifice by granting, in concession to Papal Claims, a Roman Catholic University to Ireland; and then would come the Union of Hearts!

¹ Hansard's *P. D.* (third series), vol. xcii. p. 956.

² *Ibid.* p. 956.

³ *Ibid.* (third series), vol. xciv.

Consequently, Mr. Gladstone almost resented Professor Fawcett's bill of 1871, and again of 1872—'to abolish Tests, and to alter the constitution of the Governing Body in Trinity College and the University of Dublin.' When the bill found its way into Committee, the Marquis of Hartington, Chief Secretary for Ireland, moved an 'instruction' to the Committee, and intimated that the vote would be treated as one of 'confidence in the Government.'¹ Though after 1873, when Mr. Gladstone's great bid for the vote of the Papacy had been baffled by the Prelates themselves, this 'University Tests Bill' was allowed peaceably to slip through, and received the Royal assent on May 26th of that same year.

With the opening of the session of 1873, Mr. Gladstone, having prepared the way by a passage in the Queen's Speech about the measure being 'framed with a careful view to the rights of conscience,' buckled on his armour to solve the question of a 'Roman Catholic University for Ireland.'²

On 13th February, he took his favourite course, by proposing certain 'Resolutions,' on which a bill was to be introduced 'for the extension of University education in Ireland.' He was not surprised, 'that apprehensions with respect to Ultramontane influence should enter into the minds of the British public, whenever Legislation affecting the Roman Catholics in Ireland was projected.' But one question, and one only, was really raised:—'Do we, or do we not intend to extend to our Roman Catholic fellow-subjects the full benefit of Civil equality on a footing exactly the same as that on which it is granted to other Religious persuasions?'³ We shall see, in course of time, whether the conditions are those of Civil equality, or of exceptional surrender to Papal demands.

He then explained what he calls the 'securities for conscience' provided for by the bill, and declared that they had been devised without 'a disposition of currying favour or of

¹ Hansard's *P. D.* (third series), vol. ccx. p. 1754.

² *Ibid.* ccxiv. p. 377.

³ *Ibid.* p. 380.

conciliating irrational prejudice.¹ It was to be a 'teaching, as well as an examining University, but it was to teach under conditions somewhat limited.' There was, for instance, to be 'no chair in Theology,'—*mirabile dictu*, a University without any recognition in it of what had hitherto been regarded as the 'Queen of Sciences!' Then again, 'the most safe and prudent course was to preclude the University from the establishment of Chairs in two other subjects,—likely to give rise to hopeless contentions, misgivings, and mistrust, fatal to the rights of conscience—namely, *Philosophy* and *Modern History*;' which announcement being received with loud 'laughter,' Mr. Gladstone, somewhat staggered, added:—'I mean not Natural Science, but Moral and Metaphysical Philosophy.'²

Perhaps a more irrational scheme for a University was never hatched by any human brain, and all to 'conciliate' the unappeasable Papal Clergy, but under the preposterous pretence of 'rights of conscience.' The idea of a University, —bereft of the power of studying Modern History with its Reformation Era, Moral Philosophy with its problems of Duty and of God and the Right of Private Judgment, and Theology with its questions of Revelation and Authority and Salvation by Grace,—and all this to bring Roman Catholics on to a platform of perfect Civil equality with Protestant Freemen! Laughter, mockery, was the only proper answer to such a mad proposal. And, to do them justice, the Popish Party were not slow to join in the hue and cry with which the bill was hunted to death!

The phenomenal personal influence of Mr. Gladstone, in leading his Party whithersoever he would, had however to be reckoned with, and so the fate of the bill became the occasion of a fierce and prolonged struggle.³ The second reading occupied the 3rd, 6th, 10th, and 11th of March, and the

¹ Hansard's *P. D.* (third series), vol. ccxiv. p. 382.

² *Ibid.* p. 416.

³ *Ibid.* pp. 1186-1864

House and the Country were lashed into a frenzy. The line of assault, from the other side, is fairly and sufficiently indicated by Mr. Disraeli, just before the vote was taken.

He objected to the bill 'for many reasons ;' but he objected to it, 'first of all, because it was a proposition to institute a University which is not universal !'¹ There had never been an instance, 'in mediæval or in modern times,' of such an attempt, 'to emasculate the Faculty of Arts, to mutilate that generous body, and to interdict the study of some of its most important branches.' He ridiculed the idea of such a thing,—'in this age of all ages, when young men prattle about Protoplasm, and young ladies in gilded saloons unconsciously talk Atheism, to propose the omission of Ethics and Metaphysics, the study of that philosophy which vindicates the spiritual nature of man !'²

Having thus scornfully smitten the so-called principle of the bill, Disraeli turned upon the policy of its promoters. The policy of Concurrent Endowment 'was dead.' But he reminded the House that it had once been 'the policy of great statesmen, of Pitt and Grey and Russell, of Peel and Palmerston.' He accused, however, the Right Honourable gentleman, the pupil of Peel, of 'suddenly changing his mind.' He 'threw overboard the Policy of Concurrent Endowment, mistaking the clamour of Nonconformists for the voice of the Nation !' The Roman Catholics 'fell into the trap.' They 'forgot the cause of University Education in the prospect of destroying the Protestant Church.' And then Disraeli thrust home a poisoned shaft into every Papal heart, already bitter at the entrance of the King of Italy into his Roman capital :—'Roman Catholics had the satisfaction of disestablishing the Irish Church ; and they had also the satisfaction, before the year was over, of witnessing the disestablishment of their own Church of Rome !'³ Wheeling

¹ Hansard's *P. D.* (third series), vol. ccxiv. p. 1810.

² *Ibid.* p. 1811.

³ *Ibid.* p. 1826.

back on Mr. Gladstone's line of statesmanship, he exclaimed:— 'The Right Honourable gentleman has substituted the Policy of Confiscation for that of Concurrent Endowment; and we have now had four years of it. The Irish Roman Catholic gentlemen were perfectly satisfied when you were despoiling the Protestant Church. They looked not unwillingly upon the plunder of the Irish Landlords. And they thought that the time had arrived when the great drama would be fulfilled, —when the spirit of confiscation would descend upon the celebrated walls of Trinity College and endow a University upon Stephen's Green !'¹

But argument and persiflage were all alike required to save the country from the Party's blind devotion to a trusted and transcendently able leader. The Ayes numbered 284; the Noes 287; the bill was rejected, yet only by a majority of 3.² The Ministry resigned; the Opposition however refused to accept of power. Mr. Gladstone had been beaten on one fantastic issue; but he still swayed the great majority in the House of Commons. He was bound, therefore, for a season to continue to hold the reins; though he cherished a heavy grudge against those who had defeated his crowning measure, and not least against the Papal authorities themselves; as witness the fierce strain of his *Vatican Decrees* of 1874, and his *Vaticanism* of 1875.

When a change of Government did come, the fatal fascination of this same Irish problem caught them too. On 11th July, 1879, Professor Fawcett had heard rumours of 'alleged proposals of the Government' of Mr. Disraeli regarding University Education in Ireland, and wished to know 'their nature, and whether it was the intention of Government to proceed with the matter this session.'³ Mr. James Lowther gave what was at once a straight and an evasive reply. *Straight*, because he answered, 'No! It was not the case.

¹ Hansard's *P. D.* (third series), vol. ccxiv. p. 1827.

² *Ibid.* p. 1864.

³ *Ibid.* vol. ccxlviii. p. 630.

No proposal had been made by the Irish Executive.' Yet *evasive*, because he immediately added, 'Private communications had been unofficially conducted.' It was, therefore, the intention of the Government 'to proceed with an Irish University Bill.'¹ Such language imposes, of course, on no one. We know where we are at once,—'negotiating,' trying to 'satisfy,' desirous of 'conciliating,' in other words, bidding for the Irish Roman Catholic vote once more!

Accordingly, the 'Irish University Education Bill' was read in the House of Lords for the first time on 30th June. It reached the Commons on 24th July. It received the Royal assent on August 15th. Its motive and meaning are sufficiently explained for us by Viscount Cranbrook. The Roman Catholics 'complained that they had a "grievance," in not being able to obtain a degree in any University in Ireland.' They 'complain, beyond that, that they are shut out of a University Education—that they have none of the Educational advantages given to other Denominations in Ireland.' Then, added the Viscount, 'that to a great extent was remedied by the Intermediate Education Act, preparing youths for a University Education.' Further, 'by this bill, we now do justice to every Sect and Creed in Ireland, and it will meet the requirements of the population.'² And the Marquis of Salisbury added:—'That Trinity College, though nominally open to Roman Catholics, was governed exclusively by Protestants;' and, 'as it was by this governing body that the examinations were regulated, the Roman Catholics had not confidence in them.'³

All right, Messieurs; you have doubtless done your best and wisest as politicians to 'satisfy every Sect and Creed!' But what, if there be one Sect and one Creed that refuses to rest in equal justice to all National interests, and demands surrender to its own claims? You think that incredible? Let us see.

¹ Hansard's *P. D.* (third series), vol. ccxlviii. p. 631.

² *Ibid.* vol. ccxlvii. p. 1834.

³ *Ibid.* p. 1849.

It is now May 1888, and the same Political Party is again in power. What is this about the establishment of a 'Roman Catholic College in Ireland,' which stirs all the waters of rumour? A question was asked in the Commons,—‘If the Government had decided upon founding and endowing a Catholic College?’ But the Leader of the House at that time, the Right Honourable W. H. Smith, frankly affirmed, ‘that there was no truth in the statement; and that there had been no negotiations.’¹ The House, however, was suspicious, and the country continued restive; for the Papal Clergy were again on the war-path for Educational concessions, and no Government could be trusted, in face of the skilful manipulation of the Irish vote—whereby Cabinets as of yore in Emancipation days were being made or unmade!

No surprise, therefore, was felt, when on 15th July 1889, Mr. Charles Stewart Parnell asked the Leader of the House,—‘Whether the attention of her Majesty’s Government had been drawn to the claim, in the matter of Irish University Education, put forward in resolutions adopted by the standing Committee of the Catholic Bishops of Ireland, at a meeting held on 21st March last? And whether it is the intention of her Majesty’s Government to adopt the measures necessary for the removal of the grievances complained of in these resolutions?’ The Right Honourable Arthur J. Balfour replied:—‘That the resolutions had been forwarded to the Prime Minister and the First Lord; but that he had not seen them till that day.’ He then continued in a wary and suggestive manner, baiting his hook and angling for the Roman Catholic vote very conspicuously:—‘These resolutions deal with many questions, and cover the whole field of Education in Ireland.’² I may say, without specifically answering the various points, that some of them—notably

¹ Hansard’s *P. D.* (third series), vol. cccxxvi. p. 49.

² *Ibid.* (third series), vol. cccxxviii. p. 404.

Higher Education—have long been under the consideration of the Government ; and in respect of this we hope to be able to make proposals to this House.'

It is the old story. The Roman Catholics, whom every preceding Act for half a century was warranted to 'satisfy,' have still a 'grievance.' And politicians may potter and palter as they please ; but that grievance cannot be removed save by surrender of all that Papists claim,—Free Education Acts, and Intermediate Acts, to the contrary notwithstanding,—and that is, the Establishment and Endowment of Popery. Of course, their advocates and abettors scout the idea to-day. But history has been written and studied in vain, if any man who really knows it hesitates to believe that, if Home Rule were granted to-morrow, the Clerical, that is the dominant, Party would insist upon the Establishment and Endowment of the Roman Catholic Religion ; and all the more so, if the Imperial Parliament presumed to prohibit the Parliament of Ireland from touching such a subject ! That prohibition would be the crowning 'insult' to every Roman Catholic in the land ; that would remain the greatest 'injustice' to Ireland, and badge of her disgraceful 'humiliation ;' and the spirit, that has ruled every storm and agitation for centuries there, would once more ride upon the outspread wings of disaffection, and vow that there should be no 'tranquillity' for Ireland until that 'grievance' had been swept away. *Protestants never can 'satisfy' Papal Claims, and retain their Protestantism. Britain never can 'conciliate' Roman Catholic Ireland, without surrendering British Protestantism.* On the line of Education in Ireland, this has been here fully illustrated ; but we cannot dwell further on the multitudinous details.

SECTION XI

Roman Catholic Disabilities and Relief

THE next main theme of these years that summons us may be entitled 'Disabilities and Relief.'

The 'Sapping and Mining Process' was vigorously prosecuted, particularly against the remaining restrictions and exceptions in the Act of 1829. Sir William Somerville, for instance, laid on the table, on 7th July 1859, what he called a 'Roman Catholic Relief Act Amendment Bill,' one main purpose of which was to 'open to Roman Catholics the Lord Chancellorship of Ireland.' It had been affirmed that this exception was put into the bill, 'through a blunder on the part of Peel,'—imagining that the Lord Chancellor of Ireland, like his brother of England, had vast Ecclesiastical patronage in his hands, which in fact he had not!¹

Mr. Gladstone, at this early date, showed his leaning, by asking,—'Would any man contend that the office of Lord Chancellor, in its main scope and purpose, was anything but a Civil office?'² And then, believing the question susceptible of only one possible answer, he drew this corollary:—'It was, therefore, in accordance with the spirit of the Act of 1829 to remove this disability'³ *What would Peel have thought of this?* The very spirit of his own Act, so little understood by himself, instead of sanctioning this 'exception,' as he had foolishly argued, actually demanding its abolition.

In this debate, Disraeli too seemed to be swinging to the side of concession, for he was urgent to have the whole proposals of the bill 'referred to a select Committee.'⁴

Nothing, however, came of it at that time. Sir William Somerville, on 21st July, asked 'that the order for resuming

¹ Hansard's *P. D.* (third series), vol. cliv. p. 851.

² *Ibid.* p. 1104.

³ *Ibid.* p. 1119.

⁴ *Ibid.* p. 1125.

the debate be discharged,' giving as his reason 'the impossibility of carrying it during the current session.'¹ It was suspected that other influences were at work,—the promise of still larger 'concessions,' to cover that bill and more, in the immediate future.

At any rate, such in fact actually happened to be the case. What is known as the 'Offices and Oaths Bill' of 1867 was promoted by Sir Colman O'Loughlen, Mr. Cogan, and Sir John Gray. Derby was Prime Minister, and Disraeli Chancellor of the Exchequer, and the Government practically adopted the measure. At the opening of the second session of the Nineteenth Parliament of the United Kingdom, Sir Colman moved for 'leave to bring in a Bill to remove certain Religious Disabilities, affecting some of her Majesty's subjects, and to amend the law relating to Oaths of Office.'²

He explained 'that the first clause would enable Roman Catholics to hold the office of Lord Chancellor of Ireland, and also of Lord-Lieutenant.' After referring to Sir William Somerville's bill of 1859, as having been supported by Palmerston, Cornewall Lewis, Gladstone, and Cardwell, but withdrawn because of opposition, Sir Colman declared, 'that the Chancellor of Ireland had no Ecclesiastical patronage, and that he was in fact nothing more than the highest Equity Judge.'³ The Lord-Lieutenant, 'being directly the representative of the Crown, it might be thought that he ought to be a Protestant.' If so, 'why not apply the same rule to the Governor-General of Canada, of India, of any Australian Colony, or of any Dependency of the Crown,—any of whom, all of whom, might be Roman Catholics?' He had a right, in pure logic, to say 'that it was difficult to argue with any consistency' *for* the one and *against* the other. True, 'the Lord-Lieutenant had Ecclesiastical patronage.'⁴ But that

¹ Hansard's *P. D.* (third series), vol. clv. p. 249.

² *Ibid.* vol. clxxv. p. 111. ³ *Ibid.* p. 112. ⁴ *Ibid.* p. 113.

could be dispensed by another ; as would be done even now, if the Prime Minister or the Home Secretary were a Roman Catholic.

The next clause was to 'repeal that most miserable enactment in the Bill of 1829, preventing Mayors, etc., from attending Divine Worship in their Robes of Office, or Judges in their Official Robes.' It had occasioned 'great ill-feeling in Ireland.' The Mayor might be a Roman Catholic ; but his robe and chain of office must be Protestant.' The Judge 'might believe in Transubstantiation ; but his wig and gown must agree in the orthodoxy of the Thirty-Nine Articles.'

The third and last proviso of the bill related to the abolition of certain Oaths.' Last session, indeed, the Catholic Oath question was 'finally settled, by the adoption of a uniform Oath for every Member of Parliament on taking his seat.'¹ But that 'relieved *only* the Members of Parliament.' The same old Oath, which Parliament has now proclaimed in its preamble to that Act to be 'offensive,' has 'still to be taken by Members of Corporations, Magistrates, Professional gentlemen, and others in Ireland.' He now proposed 'that the Oath adopted last session should be the only one to be used for the future, and that in all cases.'²

The second reading was taken on February 27th. Sir Colman O'Loghlen described this bill as a 'Supplement to the Transubstantiation, etc., Declaration Abolition Bill,' with which at the same time the House was dealing. In 1829, that 'Declaration' was abolished in respect of every Office open to Roman Catholics ; but it was till the present 'required of the two Lord Chancellors, the Lord-Lieutenant, the Chancellors of the Universities of Oxford, Cambridge, and Dublin, and of every officer under the Crown, who by law could not be a Roman Catholic.'² It 'stigmatised some

¹ Hansard's *P. D.* (third series), vol. clxxxv. p. 113.

² *Ibid.* p. 114.

³ *Ibid.* p. 1091.

of the most sacred doctrines and ceremonies of the Catholic Church as "superstitious and idolatrous;" and he did not think one Honourable Member in the House would advocate the retention of that!' ¹

The one bill 'repealed an obnoxious Declaration.' The other 'opened offices to Roman Catholics, from which they were excluded by that declaration.' These FIVE OFFICES were excepted in 1829, 'the Regency, the Lord Chancellorship of England, the Lord Chancellorship of Ireland, and the Lord-Lieutenancy of Ireland, and the Lord High Commissioner to the General Assembly of the Church of Scotland.' The first and the last, because of their exceptional functions, 'he left out of account;' but the other three 'he sought to open to Roman Catholics; though the present bill touched only on the two offices that pertained to Ireland, and did not touch the office of Lord Chancellor of England.'² After the Chief Secretary for Ireland had spoken, and offered a compromise on the part of the Government, Mr. Gladstone said:—That Lord Naas 'had appealed to his Honourable and Learned friend to drop from his bill the provision relating to the Lord-Lieutenancy of Ireland, but he was afraid that he could not make that concession.'³ There were the two functions of Lord Chancellor of Ireland, and Lord-Lieutenant, 'and he contended that every material consideration which is applicable to the one of them is equally applicable to the other.' At the present moment, the divesting of, for instance, the office of Home Secretary from Ecclesiastical patronage, if that office be held, as it may be, by a Roman Catholic, is 'found to be entirely satisfactory, as it would be also in the case of the Lord Chancellor for Ireland, —and why not also in the case of the Lord-Lieutenant?' ⁴ He then proceeded to ridicule 'the idea that there was anything extraordinary in the nature of the powers, delegated

¹ Hansard's *P. D.* (third series), vol. clxxxv. p. 1091.

² *Ibid.* p. 1093. ³ *Ibid.* p. 1116. ⁴ *Ibid.* p. 1118.

by the Crown to the Lord-Lieutenant of Ireland,—that there existed some mysterious relations, and apart from the general machinery of our Constitutional Government!’¹ The Lord-Lieutenant was ‘nothing more nor less than *one of the numerous wheels of Government*, subject to the same impulse and the same control as the other wheels of our Constitutional system.’ It was absurd ‘that the man in the Cabinet, whose duty it was to direct the Lord-Lieutenant, viz., the Secretary of State for the Home Department, in a sense his political master, might be a Roman Catholic,’² while he himself was prohibited from being so!

Nevertheless, when the House sat in Committee, on April 9th, Mr. Candlish ‘moved to leave out the words:—“And the office of Lord-Lieutenant, Lord Deputy, Lord Justice, or other Chief Governor or Governors of Ireland.” For, in his opinion, every argument that would tend to throw open the Vice-regal office to a Roman Catholic would necessarily and irresistibly lead to the opening of the office of Monarch of this country.’³ Mr. Schreiber, seconding this amendment, and referring to the leader of the Opposition, with his ‘wheel argument,’ protested that he always thought the Viceroy to be the direct representative of the Sovereign in Ireland, that as such he held Courts and conferred Knighthood, and was prayed for in all the Churches, and wielded the prerogative of mercy, and exercised special supervision over the Irish branch of the United Church of which the Sovereign was the head.’⁴ In his more reverent eyes, this made good his title to be something better than a wheel! It was on this same occasion, also, that Mr. Disraeli, Chancellor of the Exchequer, led on his party ‘one step more,’ and put forth another ‘bait’ for the Roman Catholic vote. He regarded ‘the arrangements of 1829 as the arrangements of very wise and considerate men; but did not hold that they were

¹ Hansard’s *P. D.* (third series), vol. clxxxv. p. 1120.

² *Ibid.* p. 1120

³ *Ibid.* p. 1387.

⁴ *Ibid.* p. 1388.

precluded from revising the policy under which these arrangements were recommended to Parliament.' He apparently was a believer in the egregious slight upon Peel's memory,— 'that the intrusion of the Lord Chancellorship of Ireland into that arrangement was founded in "error," namely, the mistaken belief that it was identical, in attributes, influence, and patronage, with that of England!' On the contrary, 'it was simply the highest Legal Office, and as such the greatest prize that could be enjoyed by the legal profession; and it was, therefore, desirable that every Irishman, whatever his creed, should have the opportunity of that high dignity.'¹ Let this strain of argument be noted carefully; strange uses will be made of it, and not ineffective, by the opponents whom he is trying to outwit or to 'conciliate.'

Passing on to the remaining issue, Disraeli held that there was 'a great difference betwixt that and the office of Lord-Lieutenant,' but showed his real opportunism, and utter lack of any abiding principle as to the matter, by continuing to argue:—'That even if the distinction were not so complete and absolute as he thought it to be, yet in his opinion it would be *a most unwise and indiscreet act* for the Roman Catholics to press for a change in the law in respect to the office of Lord-Lieutenant—the direct representative of the Sovereign, and placed in intimate relations with the patronage of the Established Church.'² There is nothing to stand upon in an argument like this. What is most 'indiscreet' to-day may appear to be highly discreet to-morrow; that is to say, in the game of Politics, but not in the evolution of things that are in their very nature either right or wrong, either true or false.

The words were left out, through the influence of the Government vote, but only by a majority of 3. Trial was made to have them re-inserted in the passage of the measure through the Upper House, but the Peers 'refused.'³ And so

¹ Hansard's *P. D.* (third series), vol. clxxxv. p. 1403.

² *Ibid.* p. 1404.

³ *Ibid.* vol. clxxxviii. p. 1375.

the bill, thus maimed, passed into law. All the same, it was another vital concession to Popery. Another 'exception' in the Act of 1829 was blotted out. The Lord Chancellorship of Ireland was thrown open to Roman Catholics; and the long-drawn process of 'Sapping and Mining' went merrily forward.

SECTION XII

Repeal of Ecclesiastical Titles Act

THE next pet aversion of the Papal Party was Lord Russell's poor little BILL ON ECCLESIASTICAL TITLES.

It had never been enforced. The Roman Catholic Prelates flaunted about under what names they pleased, and nobody seemed to care. At length they summoned courage to demand in Parliament the 'repeal' of the obnoxious Act, the outcome of the 'Papal Aggression' of 1850. In the session of 1867, a repeal measure was introduced, but toward the end of July it was 'withdrawn.'¹ It reappeared on the motion of Mr. McEvoy, in February 1868, and was 'read a first time.'² Falling through in the interval, it was revived in 1869. Finally, having thus made good its claim to attention by its bearing on gaining or losing votes, it was taken under the outstretched wing of Government in 1870.

On February 11th, in answer to a question by Mr. Stackpoole, the Prime Minister intimated 'that it was the intention of his Government to propose a measure' on Ecclesiastical Titles.³ In May and June, it got itself dragged through the Lords, was read a second time in the Commons in August, but on the 8th,⁴ 'the order for the consideration

¹ Hansard's *P. D.* (third series), vol. clxxxviii. p. 486.

² *Ibid.* vol. cxc. p. 992. ³ *Ibid.* vol. cxcix. p. 170.

⁴ *Ibid.* vol. cci. p. 1469.

of the Commons' Amendments was discharged,' and the bill was withdrawn.¹

With February 1871, a more resolute front was presented. The 'Ecclesiastical Titles Act Repeal Bill' was read a first time on the 14th, and a second time on the 23rd of that month.² On 3rd March, it was remitted to a Select Committee; and, as Mr. Gladstone had now put his shoulder to the wheel, no halt was allowed till it 'received the Royal assent' on 24th July. A glimpse into the 'fears and jealousies' which it awoke in certain quarters may be gathered from the protest of Lord Oranmore and Browne:— 'That certainly there was a proviso declaring "that nothing in the Act should be deemed to authorise or sanction the conferring of any title, precedence, or authority within this realm, by any other person than by the Sovereign;" but as such titles had been recognised by successive Lords-Lieutenant of Ireland, who had publicly received Cardinal Cullen, and given him "precedence" as holding the highest rank in the Roman Catholic Church in Ireland, he did not see that such a declaration would be of much use.'³

It is easy for superficial students of our history to make mockery of these gew-gaws, in which the Papal and Priestly caste so dearly delight. *But let them laugh who win!* To Romanists, these titles were and are the symbols of vital Papal Claims; and the repeal of a statute expressly passed to prohibit them, the blotting of it from the Statute Book, almost with contempt, and in less than twenty years, was undoubtedly a great Roman Catholic victory. It may serve a lawyer's turn of mind to talk of the Titles not being 'recognised;' but we have lived to see them indirectly at least sanctioned by Parliamentary custom in the nomination of 'Cardinals' on Committees, and the like; and, what tells more even upon the general public, we see them almost always

¹ Hansard's *P. D.* (third series), vol. cciii. p. 1528.

² *Ibid.* vol. cciv. pp. 273-780. ³ *Ibid.* vol. ccvii. p. 1333.

recognised in the use and wont of the Newspaper Press, in the Civic and Social functions of the time, and by the whole world of Flunkeyism, aristocratic and plebeian alike.

Cardinal This, Archbishop That, and Monsignor the Other, claim their rights of eminence, and title, and precedence, as from the Pope of Rome; and the whole Flunkey Race, that is, the immense majority of the British public of this age, uncover reverently! Foreign and high-sounding and illegal dignities, are honoured, above those who modestly wear the Home-born Titles allowed to them by the laws of the land or by the grace of the Sovereign. But no Legislation can eradicate the eternal Flunkey. When he, and the tribe fostered by him, become a nuisance to society, or a peril to national interests, Revolution rises up in rage, and crushes the whole breed back into the nothingness out of which they sprang.

SECTION XIII

Lord Chancellorship and Lord Lieutenancy

THE forces were now gathering for an assault upon the last remaining 'exceptions' of the Act of 1829—those 'safeguards,' which so comforted the soul of Peel, the Lord Chancellorship of England, and the Lord-Lieutenancy of Ireland. But, in this case, they gathered with an unwonted slowness. Whether it was that more toothsome themes engaged their attention in 'Land Laws,' and in 'Home Rule;' or whether they felt that the next assault inevitably raised the question also of the Protestantism of the Crown, and that it would be as yet 'most indiscreet' to force that on the Nation, we cannot say. The question was, however, certainly laid on the shelf in an uncommon way.

That could scarcely be explained by the 'dictum' of Attorney-General Coleridge in reply to Sir Colman

O'Loughlen in 1872. The question of that champion of Papal Claims was this—indicating that quirky legal minds had been at work to assist the 'Sapping and Mining Process:—'If, according to the existing law, any Religious qualification is necessary for the office of Lord Chancellor of England or Lord-Lieutenant of Ireland; and especially, whether a Roman Catholic or a Jew, or either of them, is eligible to hold either or both of said offices?'¹ It appears from the answer of Sir John 'that the question was very complex.' And yet, if the reason he gave for saying so were well founded, there was no great perplexity about the matter. He argued 'that the old Oaths being gone and the substituted Oath being enacted for all classes and individuals, therefore if a Roman Catholic or a Jew could take the Oath, he could become Lord Chancellor.'²

Where does the 'complex' matter come in? All this is plain as a pike-staff. But what is equally plain is this, that, in such a case, Parliament was entrapped into cancelling an Imperial statute by a kind of fraud, without intention, and without discussion. Such an application of their enactment was never dreamed of by the authors of the 'Parliamentary Oaths Bills.' As Sir John's dictum was never acted on by appointing a Roman Catholic, letting him take the Oath and risk the consequences, the succeeding statesmen, some of them eager enough to make the experiment had they dared, must have felt that this 'tricksy spirit' in dealing with a great national Compact, would as certainly bring with it dishonour as it deserved defeat.

When next the waters were effectively stirred on the subject, so far down as 1890-91, this Coleridge incident formed an effective introduction to Mr. Gladstone's speech on the second reading of his 'Religious Disabilities Removal Bill.'³ In this measure, he was but taking up and trying to

¹ Hansard's *P. D.* (third series), vol. ccxi. p. 280.

² *Ibid.* p. 283.

³ *Ibid.* vol. cccxlix. pp. 1733-1799.

pass a main portion of Sir Colman O'Loughlen's own bill of 1872, which dropped mysteriously out of view, after Sir John Coleridge's rather inspiring interpretation of the present laws; for if the thing was 'legal' already, why risk fresh legislation? Sir Colman's proposal was 'to remove the restriction, which prevented the offices of Lord Chancellor of England, and Lord-Lieutenant of Ireland being held by Roman Catholics or Jews; to repeal the Papal Clauses of the Roman Catholic Emancipation Act relating to Monastic Orders; and to provide that trusts and dispositions of property for pious uses should not be treated as "superstitious."¹

Mr. Gladstone, having waited these twenty years for a 'wise and discreet occasion,' found it in 1891, when the issues of a General Election were already beginning to be forecast, when 'Home Rule' was to be the test question of the time, and when to carry the Papal vote solid and unbroken was of the most vital importance. He therefore stepped into the shoes of Sir Colman O'Loughlen, the hero and champion of Roman Catholic Claims in a past generation, and fathered the main proposals of his bill of 1872. Notice of the measure being brought in had been given as early as 26th November 1890. Its object was explained in the descriptive title—'A Bill to remove the Disabilities of Roman Catholics to hold the Office of Lord Chancellor of Great Britain and Lord-Lieutenant of Ireland.'

That notice was, however, immediately capped by another, extremely disagreeable to Mr. Gladstone and his friends, but perfectly logical and self-consistent from the Roman Catholic point of view, besides being *indicative of the ultimate issues* to all genuine students of history. Sir John Pope Hennessy gave notice that, in the event of Mr. Gladstone's bill passing, he would submit a motion 'to relieve the Sovereign and the members of the Royal Family from all Religious disabilities.'²

¹ Hansard's *P. D.* (third series), vol. ccx. p. 1760.

² *Ibid.* vol. cccxix. p. 101.

But this was by no means the first launching of the question, for, in 1881, Mr. Bellingham, Member for Louth, had asked Mr. Gladstone about 'the abolition of all the remaining Religious checks at present existing ;'¹ and, in 1880, Mr. O'Donnell had inquired 'whether the Cabinet had any intention of bringing in a bill to relieve the Sovereign from the necessity of taking the Coronation Oath ;' while, so early as 1868, Sir Colman himself gave notice, in the discussion on 'Promissory Oaths' that he would move a clause substantially the same as this of Sir John Pope Hennessy's in 1890, relieving the Sovereign from all Religious profession.²

It is absolutely certain, therefore, whatever sophistical pretences may be made to the contrary, that, in the esteem of consistent abettors and advocates of Papal Claims, *these questions hang indissolubly together*, and that any concession as to the Lord Chancellorship, or the Lord-Lieutenancy, will never be accepted as a final settlement, but as a stepping-stone to ulterior aims. In fact, it is very hard to think any man honest who has any doubt of this—in view of the avowed intentions and proposals of leading Roman Catholics for the last thirty years.

The Second Reading Debate took place on Wednesday, 4th February 1891. We shall, instead of fully analysing the discussion, limit ourselves to reproducing a portraiture of the principal issues in the words of the chief speakers.³

Mr. Gladstone rose to ask the House to remove 'an anomaly, an injustice, and a discredit.' Still it was 'in law seriously doubtful whether Roman Catholics were at present disabled.' The Lord Chief-Justice of England, when Attorney-General, taught 'that, at and after 1829, there was no other Disability than the Test Act,' and that had been 'abolished' since 1863.

A pamphlet had been put into his hand—*Gladstone*

¹ Hansard's *P. D.* (third series), vol. cclxi. p. 274.

² *Ibid.* vol. cclii. p. 1073. ³ *Ibid.* vol. ccxlix. pp. 1733-1799.

Exposed—maintaining 'that he of all men was not the man to propose this bill.' In his first publication, *Vatican Decrees*, 1874, he had 'entreated his Roman Catholic fellow-countrymen to give assurance as to their full, entire, and undivided allegiance.' In his second, *Vaticanism*, 1875, on p. 14, he had announced 'that the immediate purpose of his appeal had been attained, in so far that the loyalty of our Roman Catholic fellow-subjects, in the mass, remains evidently untainted and secure.' Mr. Gladstone, therefore, held 'that he of all men was *the* man—qualified so far at least, if he had no other qualification—to introduce this bill.'¹

He based his argument on the affirmation, 'that the Principles of the British Constitution admit and allow of *no* Civil Disabilities on account of Religious Opinions.' Exactly; that is what the Roman Catholic says, when he demands you to throw open the Throne. There is a Civil Disability there 'on account of Religion,' and on no other account whatever. That surely is part of the British Constitution. On Mr. Gladstone's own showing, it is 'an anomaly, an injustice, and a discredit.'²

But let us see how he grapples with this difficulty. He affirms that 'Exception is Proscription,' and asks,—'Now, what are the apparent cases of Proscription under our Constitution?' Then he replies, 'Everybody will say, "The Crown."' He, on the contrary, affirmed that the 'discussion had nothing whatever to do with the Succession to the Crown.' He further held 'that it was a mistake to suppose that the Laws relating to the Crown inflict proscription on a particular class of believers.'³ What can this mean? The Act of Settlement 'proscribes' Roman Catholics from the Succession to the Crown.' A Sovereign becoming Roman Catholic is *ipso facto* 'proscribed,' absolutely and utterly.

Having thus enigmatically delivered himself, Mr. Glad-

¹ Hansard's *P. D.* (third series), vol. ccxlix. p. 1736.

² *Ibid.* p. 1738.

³ *Ibid.* p. 1739.

stone sailed away from these troubled waters with the shallow remark 'that, with regard to the question of the Crown, this was not the occasion for him to give any opinion at all.' But he vouchsafed to say 'that he did not believe that the present Settlement was regarded as irrational or as created discontent; and that he, for his part, was not, in any manner or degree, prepared to touch it.'¹ A mocking spirit cries 'Touch it! But you are touching it vitally. If there is to be no "Religious" Disability, this one must go! Besides, if you are only waiting to see signs of "discontent," the Clerical agitators, who boast that every concession has been wrung from you by intimidation, will not fail for that, when the "discreet" moment has arrived. If these be your grounds of procedure, you have surrendered the Crown, in principle at least, while washing your hands and vowing that you would not touch it!'

Mr. Gladstone then referred to two other 'Exceptions' in the Act of 1829; the 'Regency,' which was 'treated as an appendage to the provisions of law relating to the Crown;' and the Lord High Commissionership to the General Assembly of the Church of Scotland,'—the principle of which was 'clear, and could not be said to be offensive,' namely, 'because the duties to be performed are not Civil duties, and the Disability is not a Civil Disability.'

Proceeding to deal with 'the two remaining Offices,' he reminded the House that, in the discussions of 1867, Mr. Disraeli's objection to throwing open the Lord-Lieutenancy was 'that the Viceroy had duties to perform which were hardly compatible with the Roman Catholic Religion;' to which Mr. Gladstone now replied 'that that had been altogether abolished by the Act of 1869, disestablishing the Irish Church.' He held that the Office was now 'purely Civil.'² And, with reference to the Lord Chancellorship, of course, the objection was that he was 'possessed of great

¹ Hansard's *P. D.* (third series), vol. ccxlix. p. 1741.

² *Ibid.* p. 1743.

Ecclesiastical Patronage.' But 'the Home Secretary had Ecclesiastical Patronage too, as, for instance, in the Isle of Man and the Channel Isles.' Mr. Matthews, being a Roman Catholic, replied that the patronage during his Secretaryship had been exercised 'not by him, but by the First Lord who had submitted the names to the Queen ;' but he was probably taken aback by Mr. Gladstone's swift retort, — 'that he questioned the regularity, if not the legality, of that proceeding ; for, by the 17th Section of the Relief Act, it ought to have been exercised by the Archbishop of Canterbury !'¹

Apart from all these details, which by the bill were provided for, and really constituted 'no obstacles,' Mr. Gladstone argued 'that the odious part of this proscription was the selection of a particular body of Christians, and that the largest of all bodies of Christians, to inflict upon it this stigma and disgrace ; to record, in the face of the world, the Constitutional belief, that, although the duties of Lord Chancellor and Viceroy are under this bill purely Civil, and although everybody else is qualified to discharge them, one class of persons, and one only, is disabled from undertaking them.' Members of all other Religions, and of all the Non-Religions, 'may hold the Lord Chancellorship, with its 6800 benefices in patronage ; but the successors of Pascal, of Thomas à Kempis, of Gregory the Great who sent Missionaries to this Country—they are to be disabled !'²

On behalf of the Government, Mr. W. H. Smith emphasised the suggestive circumstance 'that the Right Honourable gentleman always delivered such speeches when in Opposition, but refrained from proposing any such measure when he was in Office.'³ He spoke and argued thus in 1867, but when in power, from 1868 to 1874, he eschewed the subject. Again, when in power from 1880 to 1885, he was directly asked by Mr. Bellingham about the 'abolition' of

¹ Hansard's *P. D.* (third series), vol. ccxlix. p. 1746.

² *Ibid.* p. 1750.

³ *Ibid.* p. 1752.

these and other Religious checks on certain Offices, and at once and tartly replied 'that the Government had no intention of advocating anything of the kind.' Now, once more being in Opposition, he launched 'the present bill.'¹

As for personal references, Mr. Smith 'had never doubted the absolute and complete loyalty of the Roman Catholic subjects of her Majesty ;' but the Right Honourable gentleman had concluded in his pamphlets, and had never withdrawn the charge, 'that the claims asserted by the Pope are such as to place Civil Allegiance at his mercy !'²

Mr. Smith's main objection to the bill was 'that, while it applied only to two persons, it alarmed and distressed and affronted very large classes of her Majesty's subjects.' Referring to Sir John Pope Hennessy's notice of motion as to freeing the Crown from Religious Disability—'a notice since withdrawn'—he remarked,—'I am bound to say that the Honourable Member for Kilkenny is perfectly logical in the course suggested, and I do not think it was an extreme suggestion to make.' It was 'only consistent with the position which he occupies, that he should draw attention to a matter, which, perhaps, the Member for Midlothian may at some future time see to be an anomaly and an injustice.'³

The Right Honourable gentleman, further, found much suggestiveness in the 'dates ;' there was 1867, with Sir Colman O'Loughlen's bill to 'relieve the Lord-Lieutenant and the Lord Chancellor of Ireland ;' then, 1872, a similar bill, with Sir John D. Coleridge's dictum 'that there were no legal Disabilities existing ;' then, 1874 and 1875, with 'the Vatican Pamphlets' of Mr. Gladstone ; then 1881, with the 'Bellingham question and answer' about the Crown ; and, finally, 1886, with its 'Home Rule Bill.'⁴ And so, if plans indicated were carried out, we should have—'An independent Irish Parliament, chiefly of Roman Catholics ; a Govern-

¹ Hansard's *P. D.* (third series), vol. ccxlix. p. 1752.

² *Ibid.* p. 1754.

³ *Ibid.* p. 1756.

⁴ *Ibid.* p. 1757.

ment, chiefly of Roman Catholics, responsible to that Parliament; and then we shall have a Lord-Lieutenant, qualified beforehand by this bill to be a Roman Catholic.' And this is 'the language in which the Right Honourable gentleman speaks,' and has never withdrawn it, 'of those who may be selected for this important Office: "A convert, in case of any conflict betwixt the Queen and the Pope, will follow the Pope, and let the Queen shift for herself."'¹

Finally, Mr. Smith held that this bill was 'the setting up of a new scheme of Disability,—declaring at one moment that a Roman Catholic lawyer was to be fully capable of discharging the duties of Lord Chancellor; and the next moment cutting off from him a very large proportion of the most important duties which devolved upon him,'—referring, of course, to the *provisoes* in the bill for the exercise of Ecclesiastical functions by others, while the Office happened to be in the hands of a Roman Catholic. He moved that the bill be read 'that day six months.'²

There were naturally, the too familiar 'disavowals of any desire to hinder or weaken Protestant interests,' which the advocates of all Concessions so freely indulge in,—forgetting that it is not their desire or intention that is challenged, but the desires and intentions of those to whom the surrender is made. The historical facts are beyond any dispute—they know how to utilise every concession, whatever motives others may have fondly cherished in promoting the same. Sir Henry James was no doubt genuine and sincere in protesting 'that he would have been found opposing the bill that afternoon, if he thought that it would add one iota of strength to the Roman Church as a political body, or that it would injure the Protestant power of this country in the slightest degree.'³ But no protesting, however honest, can alter the certainty that every such concession has been so

¹ Hansard's *P. D.* (third series), vol. ccxlix. p. 1758.

² *Ibid.* p. 1759.

³ *Ibid.* p. 1785.

manipulated as to add very perceptibly, and sometimes enormously, to the strength of the Roman Church as a political body; and as surely has weakened and perplexed the position and action of this Protestant country. It is an idle dream to go on surrendering, and to expect any other result.

Before the vote was taken, Mr. Campbell Bannerman sensibly interjected that whether Sir John D. Coleridge's dictum was good in technical law, yet it was necessary to legislate expressly—'for Parliament did not know that such would' be the effect of what it was doing in 1863 and in 1867; and if the disqualification had been thereby abolished, it had been done without the cognisance and intention of Parliament.'¹

But the Ayes were 224, and the Noes 256—so the bill was cast out by a majority of 32.

It cannot, however, be pretended that there was any assurance for the future in the line of argument adopted,—that the high Constitutional Principles at stake were relied on for the defence,—or that any disposition was shown on either side to regard the question as anything else than a mere matter of Political Expediency.² The proposal was 'most unfortunate and inopportune.' Nay, further, on the line adopted, whensoever the question of admission of Roman Catholics to these Offices is again reopened, and it may be conceded—for *standing-ground there is none* among Opportunist Politicians—it will be found difficult, if not impossible, to refuse, for similar reasons, the admission of Roman Catholics to the Throne.

There is, nevertheless, *an impregnable line of defence*. It is found in the Constitutional enactments of the Protestant Revolution. And those who are called upon to take part in that last 'Struggle for Supremacy,' which must inevitably ensue from the accession of Popery to the Throne, will need

¹ Hansard's *P. D.* (third series), vol. cclix. p. 1797.

² *Ibid.* p. 1759.

to leave the shifting Policies that have prevailed since and at 1829, and plant their feet once more on the immovable rocks in the Bill of Rights.

SECTION XIV

The Great and Final Issues

MANY themes still clamour to be considered, and themes of high historical import. They would require volumes to set them forth, and we regret to pass them by. Though not so directly related to our subject, they yet bear upon it at every turn, and would freshly illustrate and enforce all the lessons of this History. The story of MAYNOOTH, till it was finally packed off with a vast Endowment out of National Funds; the story of the NUNNERIES, and the baffling of all Parliamentary efforts to take their inmates from underneath 'Pope's law,' and place them under 'Queen's law'—these indicate only two of the many fields that might be fully explored in the Journals of the Nation. But we must here regard our theme proper as complete, and allow it to tell its own tale, and write its own lessons on the mind and heart of Posterity. Enough that we should now indicate, ere parting from our readers, the GREAT ISSUES that are coming to the front in this last decade of the Century, and how closely this History bears on the solution of these Imperial problems.

At a banquet, on 15th July 1891, the Prime Minister, the Marquis of Salisbury, calling attention to the Carlow and other Elections in Ireland, maintained 'that these revealed to us the real springs of action, the real forces which were guiding the Movement for Home Rule.'¹ What, at the beginning of that Parliament, 'was an Agrarian Speculation, had now become a Clerical Conspiracy.' But he felt certain of this, 'that the more the events developed themselves, the

¹ 'Times,' 16th July 1891.

more the real machinery was brought into light, and the lineaments of our opponents betrayed to us,—the more certainly, though slowly, would the feelings of the People of this Island be awakened, and respond to their own traditions and responsibilities which they have always acknowledged.'

He argued 'that those who struggled against Home Rule had in their favour *two currents of feeling*, which have always worked more powerfully than any others upon the English (*i.e.* British) people;' and whatever the vicissitudes of the passing Political battle may be, they may be confident that these currents of feeling will lead them to ultimate victory. They have that fidelity which we owe to our Protestant brethren, whom we induced to assume a position of danger, and risk their lives and fortunes for the benefit and the sustenance of this country: and they have that feeling in favour of the integrity and the Imperial Ascendency and Position of this Empire, which has grown with every decade in the immediate past, and of which the force is by no means spent!'

Again, on the eve of the General Election, Parliament—the Twenty-Fourth of the United Kingdom, which assembled on 6th June 1886, and was 'prorogued and dissolved' on 28th June 1892,—went to the country, with a Manifesto from the Prime Minister ringing in the ears of the Constituencies,—an 'exceptional' appeal on what he regarded as an exceptional crisis in our history. He declared the issue of Home Rule to be 'that a large portion of the Irish people were threatened in effect with separation from Great Britain,'—that it implied 'the subjection of their Property, their Industry, their Religion, their Lives, to the absolute mastery of their ancient and unchanging enemies;' that it was 'the abandonment of the Loyalists of Ireland, and especially of the Protestants of Ulster, to the unrestrained and absolute power of those with whom they have been in conflict for centuries,—of the men, and the followers of the men, whose crimes have been denounced before the whole world by the judgment of

impartial judges sitting in the Special Commission ;'—and prayed 'that they might be guided to shrink from this great outrage on liberty, on gratitude, and on good faith.'

But, by some, all these things will be discounted as only *the play of Politicians!* And, as this work shows, there is too much cause for the sneer. The Roman Catholic vote has been bargained for more than once by all the great Political Parties. Therefore, *we bring on the scene other witnesses*, and listen to them for a moment ere we close our record. The Non-Episcopal Churches in Ireland—Presbyterian, Methodist, Baptist, and Congregational, 'representing 6044 ministers, elders, deacons, stewards, and other officers and members'—issued a MANIFESTO to the 'Non-conformists of England, Scotland, and Wales,' entitled an 'Appeal from their brethren in Ireland.' They declared 'that the whole body of Irish Protestants were practically unanimous in their desire to continue to be governed with their British brethren, by the Imperial Parliament; and dreaded and deprecated the being placed, in any respect, under the power of a separate Irish Parliament.'

They affirmed their belief 'that *no guarantees, moral or material, can be devised*, which will guard the Rights of the Protestant minorities, that are scattered throughout Ireland, against the encroachments of a Roman Catholic majority, endowed with Legislative and Executive powers, and directed and governed by their Clergy;' and that history, as well as experience, in this and in other lands, 'assured them of this.'

They felt, accordingly, 'that the proposal to give Ireland Home Rule most seriously threatened their Religious Liberties, which would in numberless ways be imperilled under an Irish National Parliament, the majority in which would be elected on the nomination of the Roman Catholic Priests.'

And they implored 'their Nonconformist brethren, as they valued the possession of Civil and Religious Liberty

for themselves, to guard their Co-Religionists in Ireland from the oppression with which they were menaced ; and earnestly to oppose any attempts to place the loyal Protestant inhabitants of Ireland under a Legislature so composed and so dominated.'

The Twenty-Fifth Parliament of the United Kingdom was opened on 4th August 1892, and it can scarcely pass away without leaving its mark on the principal themes and issues of this History. On the 'Address,' in reply to the Speech from the Throne, an 'Amendment' was carried by a majority of 40, 'respectfully representing to her Majesty that it was essential that the Government should possess the confidence of this House and of the Country, and that such confidence was not reposed in the present advisers of her Majesty.'¹ That was on the 11th August. On the 15th August, Lord Salisbury's Government resigned, or rather the resignation was 'intimated,' and at the same time Mr. Gladstone's acceptance of Office as Prime Minister, with a Cabinet pledged to Home Rule.

In this History, we have shunned all Partisan Politics, while illustrating and enforcing those Principles which incontestably bear on the 'safety and welfare' of the British Empire. Nor shall we now be seduced from our chosen path, namely, the portraiture of events, and letting them, in their unmistakable eloquence, speak to every reader's own judgment. But we must affirm our own invincible assurance, that, in the next 'Struggle for Supremacy' in Britain, whether brought on by the measures now looming on the horizon, or by some altogether different, and perchance unexpected emergency in National or International affairs, *the destiny of this Empire* will depend on whether the people and their leaders read aright, and wisely apply, the lessons of the past through British History in relation to Papal Claims, or, on the other hand, ignore and even despise all such guidance,

¹ Hansard's *P. D.* (fourth series), vol. vii. p. 430.

and imperil at once our Liberty and our Religion—at once our Protestant Freedom, and our Imperial Unity.

Finally, it becomes not a Historian to prophesy, nor shall we add another to the voluminous record of forecasts unfulfilled. But it is only very ordinary sagacity, applied to the pages of this History, which enables us confidently to indicate, that, as we lay down our pen when the 'Modern Reaction' has reached as nearly as possible its culmination, so the writer that follows us, and continues this theme for succeeding generations, may begin his next chapter with a title which we here present to him beforehand—*Supremacy in Britain: the Struggle Renewed*. We have done our humble best, by the preceding pages, to ensure Posterity, that whensoever and wheresoever this 'Conflict of the Centuries' shall be reopened, every statesman, every thinker, and the whole mass of the people may have in their hands the fullest and the most authoritative materials, for a true understanding of the times and a clear perception of what all men who love their Country and their Religion are called upon to do,—that is, in the evolution under God of our National Destiny, as the guardians of Civil and Religious Liberty, especially against all Papal Claims.

We bid our readers a respectful Good-bye.

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